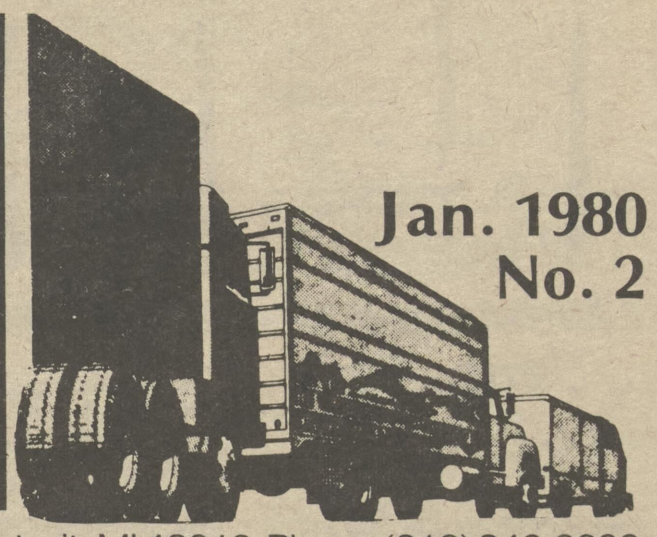
Matty Moroun & the Special Commodity Rip-off – p. 6

CONVOY DISPATCH



Jan. 1980
No. 2

Voice of Teamsters for a Democratic Union

P.O. Box 10128, Detroit, MI 48210 Phone (313) 842-2600

RANK & FILE SLATE SWEEPS SPOKANE

"What you have to do is start a grassroots movement, like the TDU did. Start from the bottom and work your way up. And don't let defeats stop you. That's how we did it, and that's how other Teamsters can do it!"

—Rocky Lattanzio, new Secretary-Treasurer Local 690, Spokane, Washington

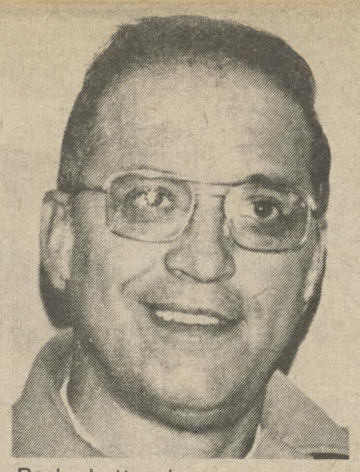
On December 27, when the votes were counted in Spokane Local 690, the rank and file swept all seven offices by nearly a 2-1 margin.

The moment of victory was a long time coming. McLeans driver Rocky Lattanzio had been fighting for change in the local long before TDU was born. But there was no rank and file movement then.

TDU came to Spokane in 1977, when two Teamsters traveled to Ohio for a TDU Convention and went home to build a chapter. In the past two years a new life has come to Spokane Teamsters. The TDU has fought for people's jobs. And to stop extravagent salaries and severance bonuses. And to end sub-standard contracts in the cartage companies.

Rocky Lattanzio summed it up: "The thing that did it was being what's called a dissident. I don't like the word, but you get labelled. Dissident really means changing things—that's what we've worked for."

More Election News: Page 4



Rocky Lattanzio

Lattanzio says one of the first things to change will be the salaries of officers. "They will be cut." He went on, "We will let the members find their own destiny. The idea of negotiating a contract without the members knowing what's in it has to go. Shop stewards will come into our negotiations, all except the master freight which is national."

Local 690 will also be sending delegates to higher bodies in the IBT, including the International Convention in 1981. Will the officers stick to the principles of majority rule and democracy at these conventions? "You bet!" was the answer the new Vice President, Bob Ross, a cartage driver, gave. Lattanzio added, "We're not going to change. We've been fighting too long."

Tankers Fight Cut-Rate Deals

In November and December tankhaulers struck. In Chicago, Allentown Pa., Columbus, Oh., and Pittsburgh. The big tank contracts, the Eastern,Central, Chicago and others, were up. The big tank companies—Chemical Leaman, Coastal, Matlack, Refiners, Shell, Texaco—were pushing cut-rate. And the tanker drivers were fighting mad.

In each area, the name of the cut-rate changed. In the Eastern Conference (petroleum division) the companies pushed for a cut-rate on 'new work'. In Chicago, they wanted to cut wages by increasing the number of "team" runs and cut jobs by demanding that the drivers load their own trucks. In the Central Conference, they slipped a 'special commodities' clause into the contract.

In every case this meant a cut in pay and job security. But as the rejection votes echoed from Chicago to Croyden, N.J., from Wheeling, W. Va., to Saginaw, Michigan, it was clear that these sell outs were not going to be easily accepted by the rank and file.

Scabs at Shell move through picket line during the Chicago tankhaul strike.

Union officials tried to railroad these agreements through and keep the members in the dark. In Columbus, they were met with a wildcat. In Chicago and Pittsburgh, they lost control of furious union meetings. In locals throughout the nation members began to ask who the officials were working for, the rank and file or the Company.

As more calls came into the TDU office, it was clear that Tankhaulers are aware that its time to stop these second class contracts, time to stop officials from railroading through cut-rates, and time to get organized! (For more tanker information, turn to page 7).

MAKE A NEW YEAR'S RESOLUTION!

Help clean up our union! It needs it: Dickie Fitzsimmons, guilty of labor racketeering (see page 12). It can be done. Rank and filers in Spokane are doing it (see this page). And it's a cause that will make you proud.

Name_____ Local Union #_____

Address _____

City_____ State/Prov._____ Zip_____

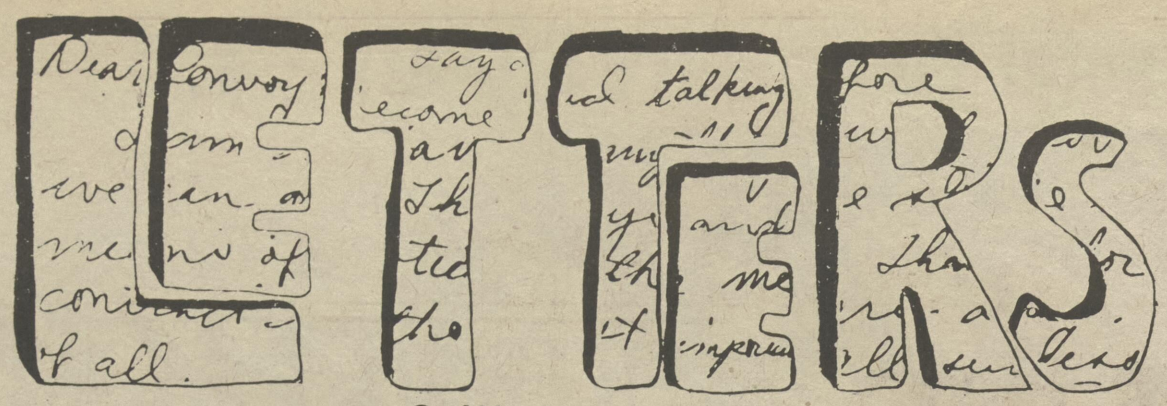
Phone_____ Company_____

City☐ Road☐ Dock☐ Clerical☐ Warehouse☐
Production☐ Other_____ _____

☐ $15 basic membership fee—for one year's membership and subscription to **Convoy Dispatch**
☐ $25 membership fee fc Teamsters who can afford it ($5 of this will go to the local chapter)
☐ $10 for spouses and retirees, and Teamsters who gross less than $10,000 a year
☐ I want a bundle sub to **Convoy Dispatch.** Prices per issue are: ☐100-$7 ☐50-$5 ☐20-$3 ☐10-$2

Join TDU!

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210



Memories of Things Past

Dear C-D,

Even though I have been involved for over three years, I am still amazed at the people who come to TDU for help **after** it is too late.

It is like taking a dead man to the doctor and saying, "You were right, Doc, he is sick. What can you do?" About the only thing the doctor can do is run an autopsy and maybe help the next fellow with the same problem if he comes to him early enough. I run into a lot of people who agree with TDU, **but** "those things won't happen to **me**."

It reminds me about what they said in Germany under Hitler. "First they came for the Jews, but I didn't say anything because I wasn't a Jew. Then they came for the radicals, but I didn't say anything because I'm not a radical. Then they came for the Catholics, but as I'm Protestant I kept my mouth shut. Then they came for me, but when I turned for help it was too late—there was no one left."

John Lafayette
Local 299
Detroit, Mich.

Still Around!

Dear TDU,

It was 20 degrees and snowing like hell in Norwalk one night when I stopped at the Fleet Wing to falsify my logs and try some botulism. On top of the cigarette machine were a few cardboard leaflets: "Lookout Fitz."

A young, fireball organization called TDC was calling for support. I bought 1,000 copies of that leaflet, passed it out in 12 states and mailed it to several more.

Years later I was in Colton, California looking for work at Yellow in Barstow. Several of the officers of the Colton local had just returned from the historic "Go to Hell" convention in Las Vegas. I heard them say they were scared to go into the place "with all those TDU pickets out there." They didn't know I heard them, but it sure felt good to hear those tough old birds make an admission like that!

I'm sure that wider and better distribution of **Convoy Dispatch** in the Phoenix area would soon result in a Phoenix chapter of TDU. We could sure use it in this town.

Thank you for a good reform group.

Yours in Truck,
Doug Frazer
Phoenix, Ariz.

SOLD!

Dear C-D,

Someone once told me that Abe Lincoln abolished bonded slavery. Think about it, as you consider my passages from one owner to another:

(1) Originally Mr. Milton Harris owned me at Continental Transportation in Pittsburgh, Pa.

(2) Mr. Harris sold me to Harvey Werner in 1968 who owned Werner Continental Inc. in St. Paul, Mn.

(3) Mr. Werner sold me to John Hall in 1975, who owned Halls Motor Transit in Mechanicsburg, Pa.

(4) Mr. Hall then sold me to Tiger International on October 3, 1979 in Los Angeles, Ca. Tiger International is a multi-conglomerate holding company whose business is to make money, not move freight.

It is obvious that there is no profit in employee loyalty, as the profit dollar has no conscience or boundaries. And before the ink is dry on this paper, I have probably been sold again.

David P. Gaibis
Road steward
Local 261
New Castle, Pa.

Building TDU In Allentown

Dear TDU,

I have been a member of PROD for several years and on the board of directors of the Central Pennsylvania Chapter of PROD. I hope to be active in the new organization of TDU and after the holiday begin in earnest to build a chapter of TDU in this area.

In solidarity, I remain,

Fraternally yours,
Allen Ebert
Local 773
Allentown, Pa.

TDU Rises In El Paso Too

Dear TDU Brothers,

We, members of Local 941, are interested in your organization. We, like many of our Teamster Brothers, are dissatisfied with the way things are run at our locals. We would like to have matters change. We want information as to how to form a chapter of TDU in El Paso.

I have made xerox copies of the membership application to TDU from **CONVOY** given to me and passed it around to interested union persons. We appreciate any help you can give to us to form this chapter.

Thanking you in advance,
Sincerely Yours,
Carlos E. Velarde
Line Driver
Roadway Express

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Bylaws Reform On the Move

The 15,000 members of Local 299 in Detroit just won the right to elect their own stewards, with the right of recall by petition of the majority. And in many other Teamster Locals bylaws-reform amendments are getting introduced during the month of January, 1980.

The successful effort in Detroit did not come easy. It took three years of work by the TDU and rank and file activists. And two other measures failed.

"It was well worth the effort. Anyone who thinks this job will be easy is wrong--reforming this union is a big job and this is one important step,"said Jim Carothers, TDUer and newly elected steward at the big Commercial Carriers barn.

Bylaws Reform Spreads

A number of locals have had bylaws reform campaigns by TDU and other active members, some successful in winning changes. Now the movement is spreading.

In **Lansing, Michigan, Local 580,** seven bylaws changes are being introduced this month. They include the right to elect all stewards, the right to elect BAs, majority rule (not 2/3), membership control over officers' salaries, local negotiating committees to include rank and file members, and delegates to IBT Conventions to abide by the vote of the rank and file in casting their delegate votes.

All of these have been won in some other locals through TDU reform efforts. In many other locals, just one or two changes are being targeted for a campaign. In **Eastern Pa. Local 229** the rank and file are aiming to win the right to elect stewards.

In **Kansas City Local 41** a proposal to elect BA's will be introduced. In **Los Angeles,** TDU members in a couple of locals are finalizing plans for campaigns. In **Chicago**, and **Saginaw,Michigan**, and various other area Chapters TDUers are making similar plans.

In **Local 776 in Harrisburg, Pa.**,several amendments passed which were proposed by the Local's appointed bylaws committee. The one TDUer on that committee supported most of the changes, except one that allowed consideration of moving the union hall out of town. TDU is considering other changes now, and bylaws can be submitted four times a year in this local.

No Bylaws At All

Previously we reported that **Youngstown Local 337** has no bylaws at all. Also, **Des Moines Iowa Local 147** has no bylaws at all, and TDU members in that area are planning to change that situation with a discussion of some democratic ones. Both the International Constitution and the U.S. Landrum Griffin Act provide that each local shall have bylaws.

In **Buffalo Local 375** TDU members successfully passed an amendment last year to fill vacancies by election instead of appointment. Now this year they are introducing another type of improvement, to establish a Unionist Education Project (see separate article).

No single bylaws change will transform a local into a democratic and fighting one. But it is a part of the process. And it helps to unify and involve rank and file members.

W. NY TDU Pushes Labor Education

The Western New York TDU is putting forward an unusual, but very needed, proposal within Buffalo Local 375—a Unionist Education Program. The proposal will consist of a detailed Bylaws Amendment, presented at the January membership meeting.

The TDU Chapter contends that only half a percent of all Teamster members have any training in important union matters, and even many officers lack it.

The Unionist Education Program will consist of seminars and workshops on various topics—Grievance Procedure, Management Tactics, IBT Structure, Health and Safety, Labor History, Pension and H&W Funds, Labor Law, Negotiations, and Organizing.

This kind of steward and membership education is needed not just in Local 375, but in many of our locals. Any officer who opposes education of the members should be asked to explain just what he has to gain from keeping our members in the dark.

WHO WE ARE

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers, warehouse workers—every kind of Teamster and spouses too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 22-member International Steering Committee was elected in November 1979 for one year. Our Rank & File Convention had over 500 representatives present.

We are proud Teamsters standing up for our rights. If you agree with our **Rank & File Bill of Rights** then how about joining us?

TDU STEERING COMMITTEE

Co-Chairs:
Doug Allan, Local 208
Pete Camarata, Local 299
Frank Greco, Local 478
Ted Katsaros, Local 282

Organizer:
Ken Paff, Local 407

Trustees:
Eileen Janadia, (Local 337)
Gary Kuhn, Local 20
Ray Kuszelewski, Local 938
Pleasant Stephens, Local 710
Bilal Chaka, Local 692
Denise Gellespie, Local 676
John Gomez, Local 70
Clyde Johnson, Local 528
Marv Kaylor, Local 70
Gary LaFlame, Local 332
Lincoln Merrill, Local 391
Mel Packer, Local 800
Paul Poulos, Local 390
Bill Slater, Local 468
Bill Steinberg, Local 390
Hugh Thompson, Local 600
John Torbet, Local 468

RANK AND FILE BILL OF RIGHTS

I. DEMOCRATIC BY-LAWS. All Business Agents and Stewards should be elected. Vacancies in offices should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining their company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent till proven guilty, right to remain on the job till final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right backed up by our union to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT HOUR DAY AND FIVE DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25 and out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the difference in age, race, and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

NEWS FROM THE

WASHINGTON OFFICE

The Washington office of TDU—formerly PROD's national office—is the rank and file's voice in the capital. Litigation, designing new legislation, reforming safety regulations concerning all aspects of working conditions and truck design—we're working for you.

We have a Professional Drivers Council of TDU to help. But we need your input.

PROD/TDU
Room 612 — 2000 P St., NW
Washington, D.C. 20036

TDU-PROD Wins New Safety Regulation

PROD's seven year battle with the DOT to get maintenance logs kept in tractors will soon be completed. Maintenance Regulation MC-48 will go into effect April, 1, 1980. This was an additional three months delay won by the ATA, which claimed that carriers needed time to print up forms and 'train' their employees.

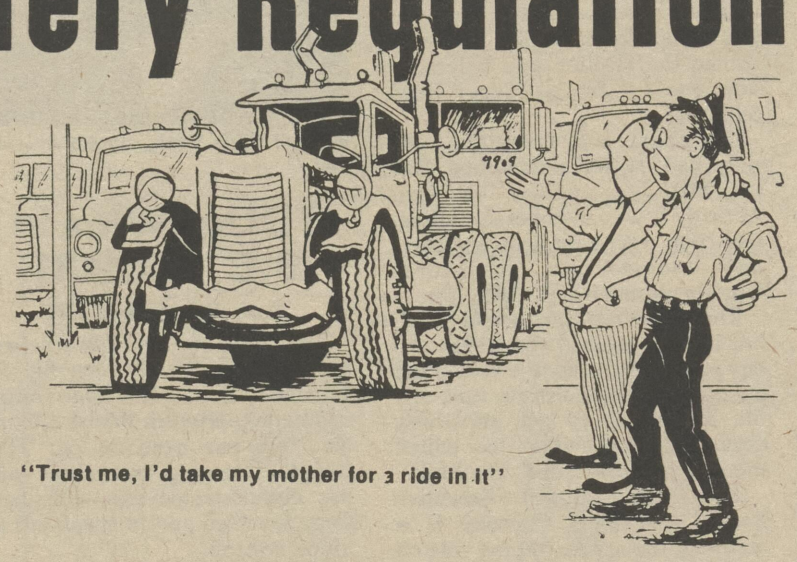
All tractors will be required to contain the previous driver's vehicle condition report (VCR). The exact wording of the key part of the new reg--section 396.13 of the DOT Regulations--will be as follows:

Before driving a motor vehicle, the driver shall-

a]Be satisfied that the motor vehicle is in safe operating condition.

b]Review the last vehicle inspection report required to be carried on the power unit; and

c]Sign the report to acknowledge that the driver has reviewed it and that there is a certification that the required repairs have been performed. This signature does not apply to listed defects to a towed unit which is no longer part of the vehicle combination.



"Trust me, I'd take my mother for a ride in it"

The ATA had tried to kill the new regulation, claiming that it is an "arbitrary imposition on carrier management prerogatives."

TDU feels that life and death matters are not "management prerogatives" and welcomes this overdue change. All drivers should make sure it is implemented. Under Article 16 of the NMFA (and some other contracts), you can demand enforcement starting on April 1. Just as we originated the proposal and fought to get it established, we will fight to make sure it is implemented.

EDITORIAL COMMENT: Telling the Truth on Safety

Two important safety matters reported on this page have been distorted by the IBT 'public relations' magazine. The first is the PROD victory, after seven years of effort and legal activity, to win a DOT regulation on VCR reports being kept in the tractor for the next driver to review.

The **International Teamster**(August, 1979), reported falsely that this new rule was "in response to a Teamster petition." The same article falsely stated that the new rule "parallels a provision in the master freight agreement."The NMFA provision says only that a driver shall have the right to see the VCR report if he asks supervision for it, and then only "subject to agreement between the Employer and the Local Union." The new DOT reg gives you the **unqualified** right to review the maintenance report:**in the tractor.**

The same **International Teamster** also tried to claim credit for the huge amount of work that PROD attorneys and rank and file safety activists put into the Truck Safety Act. PROD drafted and redrafted the bill, worked hard to prove the need for it, and organized rank and file pressure to stress its importance. When the IBT testified on the bill on July 25 they uttered not one peep, either in person or in writing,on the crucial "whistle blower" protection clause of the new law which was the #1 target of ATA attack.

it's bad enough that our IBT big-wigs spent more on French chefs than on a Safety Department. But then to try to take credit for the work done by the rank and file movement--that's just too much. The International officers **could** make a more positive contribution toward driver safety in the next three months: by taking action under Article 16, section 6(j) of the Freight contract (see article on Hand Valves). **If** they are interested. If not, it's back to the golf course, boys.

Committee Backs Truck Safety Bill

S.1390 Faces Senate Floor

The Truck Safety Bill, S. 1390, received a unanimous vote from the Senate Commerce Committee and now faces debate on the Senate Floor.

Of greatest importance in the bill is the "whistle blower protection" clause, involving **the driver's right to refuse unsafe work or equipment.** This section has been subject to modification due to pressures from the ATA, pressures to continue putting profits over safety.

The TDU Washington Office and attorney Arthur Fox have worked hard to preserve a bill with some teeth in it.

As S. 1390 stands now, a driver who gets punished for a safety-conscious act will have the right to file a charge with the Department of Labor Solicitor's Office (which deals with OSHA). Within 60 days an order will come down which could order reinstatment with back pay if a driver was discharged. Either the company or the worker involved can protest this decision and get a hearing before an Administrative Law Judge (similar to the NLRB). The final appeal will be to the Federal Appeals Court, to over-rule the Labor Dept.

This section is not ideal, but it does provide an entirely new protection for drivers who now get nothing from the DOT.

TDU is fighting for the passage of S.1390 in Congress, in the public media, and through our local unions.

You Can Help—NOW!

Help from drivers and all Teamsters is needed **NOW** to pass S. 1390 and prevent the ATA from watering it down. If you are concerned--take the time to write a letter to one or both of your Senators or call TDU to get a petition to circulate and mail to your Senator.

Better yet, take this letter to your next Local Union Meeting and get your local to pass a motion sending letters or telegrams to your Senators. There is no reason for your officers to oppose this action because the IBT has officially endorsed S. 1390.

Sample Letter to Senator From an Individual or From a Local Union

The Honorable.....
United States Senate
Washington, D.C. 20510

Dear Senator.....:

We need prompt enactment of S.1390.
This bill would provide urgently needed protection for truckdrivers who are ordered to drive unsafe trucks, as well as for the lives of the motoring public. Recent statistics prove the need for S.1390: almost 30% of the increase in auto deaths from 1975 to 1978 were due to crashes with heavy duty trucks.
We need the strongest possible protection and ask that you fight any attempt by special interest groups to dilute this bill.

Sincerely,

.....

Advice in writing letters to Congress:
1.If your local sends a telegram or letter, get a copy and send it to TDU. (Also send copies of any petitions).

2.In writing to your Senator you may type or write legibly. Individual letters are fine. You can include something of your own experience to back it up. Sign your name legibly and your address.
3.If you don't know the names of your Senators call the local League of Women Voters.

TDU Fights for Legal Rights of Stewards

TDU is going to the Supreme Court to stop employers from firing stewards who fight for the members.

The case began with a running battle between Wilson Freight Co. and the workers at its Chelmsford, Mass. terminal. The BA for Local 25 refused to process grievances concerning health and safety and the right to have starting time posted when jobs were bid. Getting no cooperation from his BA, steward Paul Smith wrote to government agencies such as OSHA and the DOT for help. He organized a refusal to bid on jobs unless the times were posted.

Wilson fired Smith. They said that under Article 41 of the New England Supplement (the same as Article 4 of the NMFA) shop stewards may only do grievance work, collect dues, and pass on messages from the union. Because Smith's actions went beyond that, and "interrupted business," he had violated Article 41,according to the company. The "interruption of business" was that Wilson had to answer OSHA and DOT complaints and assign new routes by telephone. No employee refused or delayed taking the assignments.

The Court of Appeals for the First Circuit (New England) overruling the NLRB, said that Article 41 **was** a good business reason for the discharge, even though other employees could **not** be fired for the same reason. The NLRB does not consider the case important enough to take to the Supreme Court, but lawyers affiliated with TDU in Washington think it is. They are arguing on Smith's behalf, that employer discrimination against stewards is illegal.

One of the problems with the Wilson Freight case is that the NLRB (which backed the steward) did a bad job in putting together the factual record. The TDU Washington office is hoping to find another case in which, by being involved from the start, we can develop a strong case and make sure the Wilson Freight decision is overturned and the rights of stewards are protected.

Hand Valves On All Tractors?

By April 1, 1980, a sub-committee of the National Negotiating Committee for the NMFA is to make recommendations on the safety aspects of interior dimensions of tractors and sleeper berths; equipping tractors with trailer brake hand valves; placement of fuel tanks; and the use of shock absorbers on the front axles of tractors.

This is contained in Article 16,Section 6(j) of the NMFA. It was inserted after rank and file demands on these issues were not accepted by the carriers, so a subcommittee was created.

For years road drivers at Roadway and other carriers have demanded that trailer hand valves be restored, as carriers have 'economized' by ordering tractors without them.

Now is the time for petitions, motions at local meetings, and any other rank and file input to the National Negotiating Committee which will decide the issue.

SHOC WAVES is the regular news column of the Steel Haulers ORganizing Committee of TDU.

LOCAL 142 VOTES 'NO RIDERS'

Don Sawochka, Sec. Tr. of Gary Local 142 told his stewards a week before the December steelhaul craft meeting that he wanted to see the hall filled up like it was back in April during the strike. 150 men turned out despite blizzard conditions.

The men voted unamimously to reject any sweetheart deals. ATL owner-operators, whose company is the latest to claim poverty and ask for relief, led the way by demanding to stick to the contract. "If they can't pay it, let them fold. We'll work for someone who can." Local 142 also has many Brada Miller owner operators who have been forced on 10% trailer leases. Sawochka said he wants to see grievances from these men as a result of the vote.

Sawochka also said that Canton Local 92 was taking the same position as Local 142.

As the article below on Spector Viking shows, the attacks on the owner operator in steel haul are growing. Every local should follow the footsteps of Local 142, and hold open discussions of these issues and have a membership vote on the response.

But this is only a start. After a vote, the fight must be organized. This means training stewards and members in how to file the right grievances, when to file them and how to put the heat on the grievance procedure to back them up.

SHOC will be investigating these topics and welcomes any and all suggestions. Look for more on this in the next Convoy-Dispatch.

VIKING TAKES AX TO TRAILER LEASES

Spector Viking Division has now followed in the footsteps of Brada Miller by starting to cancel trailer leases on owner operators. Between the large cancellations on Vikings biggest board in Wisconsin, and the start of cancellations in North Carolina, at least 50 owner-operators of 600 have been hit so far.

At a company called meeting in Hammond recently, Viking Senior VP Ed Minick made a full announcement of the plans the company had been following. It came out that Viking is even demanding that brokers supply the chains, tarps, and coil racks for company trailers.

The company is attacking owner operators in this manner because the last two contracts have broken down the original 75% for brokers to 29% drivers wages, 33% for the tractor, and 13% for the trailer. But a trailer only uses 8 or 9% of the **costs** of the operation at most. So by leasing a trailer from Freuhauf or a trailer pool at about 10% of revenue, the company can pocket about 3% that should go to the owner operator as a driver and for his tractor.(This would mean $1500 to $4000 per truck each year).

There is little contract protection on this issue even though most Viking owner operators were required to have full sets of equipment as a condition of employment. Relevant contract language is in Article 56, sections 16 and 18. (Also see Article 32,Subcontracting, if the company leases from someone else the trailer they force an owner operator to pull.).

Of course many grievances can be filed on safety and delay time on company trailers. SHOC is researching these questions.

Interestingly, Don Wetzel, Sec.-Treas. of Local 126, in Wisconsin was able to deadlock the Viking trailer cancellations in his area at the December meeting of Chicago JAC. If this case is heard speedily at the National level it could set an important precedent and should be watched closely.

More TDU Election Victories

HARTFORD TDU WINS- Incumbents Try for Rematch

In a record turnout in 4,000 member Hartford Local 559, TDUer Bob Dubian was elected Secretary Treasurer by a narrow 12-vote margin. That was on December 9. Just thirteen days later, with unusual speed for the Teamster hierarchy, Joint Council 64 overturned the election and ordered a new one for Jan.20 (Super Bowl Sunday).

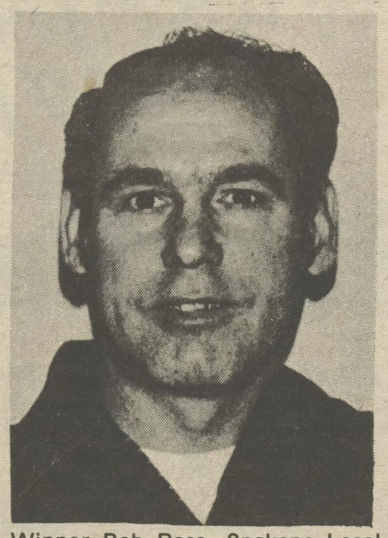
Incumbent Sec.-Treasurer Fennelly had earlier complained that the TDU was 'picking on him'. Actually it was membership dissatisfaction with poor representation and undemocratic procedures that should have concerned him.

The Hartford-Springfield TDU has been organized since 1978 and has provided a vehicle,a voice, and a democratic platform for rank and file Teamsters to get effectively organized. Bob Dubian has edited the chapter newsletter, **The Link.**

The Joint Council Executive Board, (of which Fennelly is a member, though he did not vote on this matter), overturned the election on technical grounds of numbering the ballots. "The numbering has been the same in past elections,"TDU activist Tom Russell reported. Dubian stated the move was "typical" of the Teamster hierarchy.

TDU members have already filed suit over the election and are confident that the 'dirty tricks' will be defeated.

In the meanwhile, rank and filers are working to get the word out on the new election, and explain to fellow members just why their democratic vote was put aside. TDU members are confident that if they can reach enough members before the election, the vote will be much clearer this time.



Winner Bob Ross, Spokane Local 690.

TDUer Wins in B.C. Local 31

From BC—Yukon TDU

TDU member Bob Edwards was successful in his election bid for Trustee in Local 31, a large freight and cartage local in British Columbia. Bob has been on our TDU Chapter steering committee and has demonstrated his willingness to be involved and to speak out on union issues.

We know Bob will serve his membership well both in Local 31 and in Joint Council 36 where he is a voting delegate as a Local Executive Board member.

TDUers Jack Cocking and John Kuipers, although unsuccessful candidates in the election, received substantial support from voting members. All three TDUers were first time election candidates in Local 31 and deserve hearty congratulations for their resolve to actively participate and make their voices heard.

Our union will change when dedicated members replace the old guard. More members need to get involved in campaigns to effect changes and make our principles more visible. Be heard - join TDU.

SPOKANE: Two TDUers Win in Local 582-- "Learning Fast"

The Local 582 election in Spokane, Washington saw two members of TDU win Trustee positions. Denny Young, who was already a Trustee, placed first in the field of candidates. Ron Clemmons, warehouse worker at URM, placed second. A third TDU member, George Clyde Ragland, was unsuccessful in his bid for the third Trustee position.

Local 582 is one of two locals in the Spokane area. In Local 690 the rank and file slate won every position (see front page).

TDU Principles

Like many locals, there have not been many elections in the past because there was no life among the rank and file. TDU changed that situation. Clyde Ragland pointed out in his election leaflet that several candidates who ran would not have been allowed to run, were it not for TDU activity in other areas to get the "50% attendance rule thrown off the books."

Ragland, who is the Chair of the Spokane TDU, issued a flyer after the election which stated in part—"Many members of your local have asked why TDU did not challenge the Secretary Treasurer in this election since there are so many complaints....

It is one thing to be elected, but it is another to be prepared...we are learning fast and when the time comes we will be ready. When you see a full slate as in Local 690, you can depend on them.What we need to do now is to get people involved in our local and in TDU. Let us learn together and plan together.."

Building for the Future

In several locals TDUers ran for office unsuccessfully, but in most cases they gained ground for getting the rank and file organized.

In **Long Beach Local 692** three TDU activists ran a slate for the Trustee positions and fell short of winning. But during the campaign they launched a new newsletter within the local. They are planning a long range effort to reach new people in the one-shop contracts that make up two-thirds of the local.

In **Milwaukee Local 200** TDU activist Gil Wozniak ran a strong race for Trustee, losing by less than a hundred votes in a very large local. Wozniak was the only rank and filer to challenge the incumbent slate.

In **Quebec Local 106** TDUer J.L. Grenier ran third for the top spot, but has challenged the election. Grenier reports that the first time anyone associated with his slate was allowed to see the ballots they had all been removed from the envelopes!

In **Columbus Local 413** the incumbents were re-elected with a minority vote due to competing rank and file slates. TDU supporters ran strong for the Trustee positions, nearly winning in a field of 13 candidates. One of TDU's main jobs is to unify rank and file activists to prevent divisions.

In **New Hampshire Local 633,** UPS Steward and TDU activist Jim Plante placed fifth in a field of ten for Trustee. Again, he got more votes than two incumbents, but the rank and file were divided without a strong TDU Chapter to unify the members around democratic principles.

SHOC Shorts

McNicholas Deduction for "Charity"

McNicholas drivers have always been required to sign a release when they hire-in which permits the company to deduct 50c per week for unspecified "charity" purposes. Local 800 drivers recently took this deduction to committee, and won the option for any driver to send a written statment to the company cancelling this release and stopping the deduction.

Correction on Cassidy

Last Convoy's **Shoc Waves** mistakenly said that a copy of McNicholas' letter to a Cleveland driver had been sent to **Bob** Cassidy, President of Local 92, Canton, Oh. In fact it was sent to **Bill** Cassidy, BA in Local 407 Cleveland,Oh. The issue was daily deductions of fringe benefit payments for "unexcused" absences. Bill **and** Bob please note— McNicholas is still sending out these contract violating lettters.

Artim City Men Fight

Artim recently forced many Local Cartage steel drivers off the hourly rate and onto percentage pay. Artim originally had 180 local drivers working in the Chicago Commercial Zone. By the end of the last contract they reduced it to less than 100, mostly by shifting work to the 'short haul' percentage board.

On June 2 of last year 50 more hourly drivers were laid off. Then in December they were told to come back, but on percentage, in violation of the contract.

Local 142 conducted a 'vote' on this give-away, but none of the affected drivers were told of the vote! One of the laid off men was told they were not allowed to vote because local 142 knew they would vote no.

Artim drivers are preparing a legal challenge to this sell-out.

Artim "Relief" Request

Apparently Artim Transportation System has not had as much of a positive response to their request to pay drivers and owner operators on only 95% of the revenue as the company expected. In the Pittsburgh area they are backing off this idea, and instead are hanging up petitions for employees to sign which ask for an unlimited right to cut freight rates to be "competitive."

Meeting

The SHOC Steering Committee met on December 8 in Cleveland Ohio, to discuss the state of the industry, contract enforcement, and regional meetings for steelhaulers. The next SHOC Steering Committee meeting will be on Saturday, Feb. 9 at 1 pm, at the Pittsburgh TDU office, 21 & Smallman (upstairs). Plenty of truck parking. For info, call Mel Packer: (412)232-3230 or (412)421-1691.

C-F, Columbus

Flex Work Week on Trial

Rank and file Teamsters from Consolidated Freightways in Columbus Ohio spent two days in federal court, December 19th and 20th, in an effort to defeat the so-called "Flexible Work Week" that had been imposed after an election held for the company's convience. Their complaints revolved around the conduct of that election, and the subsequent failure of officials of Local 413 to investigate and act on their complaints.

The Flexible Work Week, or Flex, is a system which allows the company to start the work week on any of the seven days of the week. Instead of the normal Monday through Friday schedule, with weekend overtime, the company is allowed to schedule Tuesday through Saturday, Wednesday through Sunday, even Friday through Tuesday, as they wish.

For these reasons, TDU has consistently fought the trend of the big carriers to impose Flex. The Central States and Western supplements stuck provisions into the 1976 (and 1979)agreements to give the carriers what they want. Some other supplements allow it also, with Central Pennsylvania being the worst of all with an unlimited Flex system in effect.

C-F THREATS

In March of 1978 C-F made its move. Ground for a new large terminal was already purchased and construction was about to begin. Then the terminal manager, Paul Kelley, began the threat--loss of jobs. C-F wanted to move fast before the men saw the new terminal built, then the threat to move elsewhere would be hollow. And Kelley knew that other barns such as Roadway had voted the Flex down.

With union permission, Kelley called in small groups to "discuss" the situation and the threat to move out. No union rep was present.

Steward Jim Irwin (one of two stewards who later filed suit) saw the need for a meeting and, on March 7, set one up with the agreement of Local 413 VP Jack Carter for March 22. But that same day,Kelley called the hall and got a 'surprise' meeting and **vote** set for March 9—two days away and with no notice to them men from either C-F or the local.

On March 9 people arrived for work and were told to go to the basement. Then the election was announced, and despite repeated protests, it was conducted right then, with Kelley again making C-F's position clear. No Flex, no jobs. Local 413 did nothing to counter thus or provide any information to the men or to conduct a fair vote.

Anyone off work lost the right to vote, except a few men like Jack Widner who got a call and came out of sick-bed to come to vote. There were no real checks on voting, and consequently, when the "ballots" were counted, there were more votes than total employees! Local 413 announced the Flex passed 31-28, and signed an agreement with C-F. Rank and Filers showed the count should have been 28-28. When 413 President Jack Gordon was questioned at a union meeting he said he would look into it. The investigation never happened. Later the Union admitted it was 28 28, but counted an extra ballot to pass it 29-28.

Under the Joint State guidelines the union members are guaranteed a vote. Democratic principles and federal labor law require that elections be fair.

The matter is now in the judge's hands. The rank and file are asking only for a fair election.

The fight against the flexible workweek will go on, and should be a **national** demand in the next contract. There is no reason why, after years of fighting for weekends off, that our union should be rushing to give up this right and allow one local to be played off against another.

TDUers Win Big Back Pay Award

On November 11th the Teamster reform movement in NYC took a big step forward. On that date, NLRB Judge George McInerney ordered Teamsters Local 282 to pay up to $35,000 apiece to four TDUers. Ted Katsaros, Larry Kudla Charles Curd Jr., and John Keubler were all declared to have been the victims of the falsification of their employment records by their steward, Robert Worhacz.

Worhacz had claimed that the men failed to shape up for work as required under Local 282's contracts with construction hauling firms. As a result, the four Teamsters lost their jobs in October 1977 and were fraudulently expelled from the union in February 1978.

Ted Katsaros, N.Y., Local 282

It didn't take six months for the International union to declare that the union charges against the TDUers were a fraud and reinstate them back into Local 282. But it was not until November 11, 1979 that they were awarded the back pay they deserved as a result of their loss of work.

All four of the victimized Teamsters are leaders of F.O.R.E. (Fear of Reprisals Ends), a Local 282 reform group affiliated with TDU (Katsaros is Co-Chair of TDU). In 1978 FORE mounted an election challenge against John Cody, the allegedly organized crime linked president of Local 282. FORE has previously stopped Cody from squandering Local 282's pension fund on mob connected real estate investments. In retaliation, Cody tried to throw them out of the union.

Cody is used to using this sort of intimidation. During the 1978 election challenge in Local 282 he fired a union steward, Patty Facazio from his post (282 still has appointed stewards) for refusing to support Cody in the election by remaining neutral. The NLRB later found this act illegal and Facazio was reinstated.

Cody's big bluffs and attempts to intimidate the membership of Local 282 is failing right and left. FORE and TDU stand ready to step up the effort to clean up the local and retire Cody and Co. for good.

DOC
WOW, DIESEL MUST BE IN SHORT SUPPLY,
ALL YOU HAVE ARE THOSE LITTLE BOTTLES OF IT?
HEXXON TRUCK STOP
WHAT DIESEL? THIS IS 86 PROOF CHIVAS REGAL, IT'S CHEAPER
DIESEL FULE
DIESEL FULE
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Teamsters Strike Big Oil in Pgh.

This fall approximately 120 Teamster members of Pittsburgh based Local 273 attempted to win a cost of living increase from some of the largest corporations in the world: Gulf, Arco, and Amoco. The answer from these corporate giants: "If we had to pay what national freight is getting, we'd be out of business."

The striking workers included drivers, terminal workers, and mechanics. Employees for each company are covered by separate contracts, although all were earning about $8.59 an hour prior to the strike.

After being out one month, Gulf workers voted to accept the companies offer and return to work. The offer was $1.44 over two years with a wage reopener in October 1980.

But a cost of living increase was not offered. The companies cited Carter's wage guidelines as the reason why. At a time when companies such as Gulf Oil report 97%increase in their profits for the third quarter of 1979, and expect $1 billion profits this year, it was a crime to defy their workers basic protection against inflation.

St. Louis TDU Fights 600 Dues Increase, Harassment

A fight that has lasted for almost a decade in St. Louis is still raging.

The 1970 freight wildcat, which had support in Los Angeles and Chicago, resulted in a counter-offensive by the area's freight carriers. The carriers went to court and won a multi-million dollar damage suit against the local for revenue that was lost during the wildcat.

A decision was made last March when US Bankruptcy Court Judge Robert E. Brauer found that it could not rid itself of a $5.8 million judgement. This sum was reduced to $3.5 million in September when $2 million in interest and $1.3 million in back dues to the International were knocked off.

Local 600 President Ted Welch pushed hard for a dues increase to cover the debt. The proposal would increase the Local's dues to $26 per month, probably the highest in the union. Of this $26, $6.65 would go each month towards the $3.5million owed for the next 52 months.

In fact Welch pushed so hard that he is now facing Labor Board charges for unduly threatening local members at Frisco, Commercial Lovelace, and McLean who opposed the dues increase. PROD and TDU members Lee Roth, and John Minor filed the charges with the Labor Department.

The vote on the proposal was held on October 14. The dues increase passed by the slim margin of 1,282 to 1,226. But even here, Welch may have depended on the voiding of 59 votes (more than the 56 vote margin of approval) to win.

Dues are going up. But Welch's salary is isn't going down! And he has intimidated and threatened his opposition with reprisals, ranging from internal union discipline to discharge. But PROD/TDU activists are on the move in St.Louis, and the time may be coming when the members give Welch the boot and restore Local 600 to it s place as one of the most militant local unions in the IBT.

Peick Refuses To Reinstate BAs Despite NLRB Order

International Vice President Louis Peick is refusing to rehire two Business Agents that he fired in 1977 even though the NLRB has ordered them reinstated with full back pay.

George Gilmer and James Jackson were long-time employees of Local 705 when Peick fired them for "insubordination." He called them "black bastards" according to testimony before the NLRB.

The NLRB judge ordered them reinstated with back pay in May 1979. Local 705 appealed to the full NLRB in Washington, which again ruled that the firing was illegal and that they be reinstated. Peick then appealed to the Federal Appeals Court for further stalling.

At the trial, Peick's attorney claimed that since Gilmer and Jackson had distributed flyers about the Daniel pension case in the Supreme Court, and had picketed Peick's home along with a few TDU members, that they were not entitled to NLRB protection as employees. This carried no weight.

Meanwhile, two Business Agents are off the job, and are virtually certain to be paid in full for all wages lost—paid out of the dues of the rank and file Chicago drivers. All thanks to one man—Louis Peick.

Congratulations to TDUer Ed Sorenson, leader of the strike at Whelans Trucking (see CONVOY Dispatch #1 for details). Eddy was elected steward by his fellow strikers last month. Keep it up Eddy!

Des Moines Local Gives $ to American Freight

That's right, a Teamster Local gave a multi-million dollar corporation a $4,500 gift.

Not in cash, but by withdrawing without prejudice thirty one grievances at the Joint Area Committee in Chicago after the cases deadlocked at the Iowa hearings.

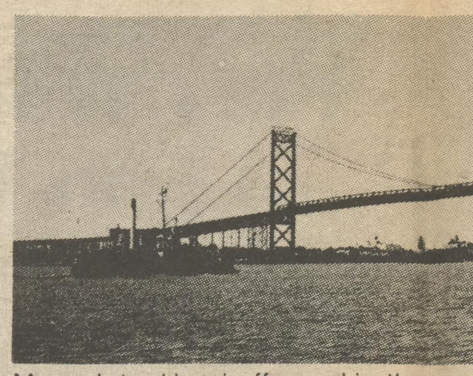
But not only were the grievances withdrawn, but Secretary Treasurer Kirschbaum came back to Des Moines and called a special meeting with the American Freight System employees telling them that they had **lost** their grievances.

This deception was crucial—because a grievance that is withdrawn without prejudice can be refiled. A lost grievance can not be.

Only after many phone calls to Chicago was a transcript of the hearing obtained and the truth discovered. But when the men sent a certified letter to Secretary-Treasurer Kirschbaum, requesting that the grievances be refiled, all they received was a letter from union attorney, Robert Conley, containing a bunch of gibberish and doubletalk. Concerned members of Local 147 should come to the TDU meeting in Des Moines on Jan. 12 to discuss how we can fight to end this lack of representation.

TDU Fights Erosion of the Freight Contract by 'Special Commodities'

MATTY MOROUN'S SHELL GAME— DISAPPEARING JOBS AND CONDITIONS



Moroun's trucking ripoffs gave him the mone

Who has freight drivers working for a daily guarantee of $75 (or even $61.60) for a 12-hour day? With no sick pay, funeral leave, or breakdown and waiting time?

Who is trying to split the Teamsters Union to smash the strike of McKinlay drivers in Canada?

Who has so-called "special commodities" drivers doing multiple pick-ups and drops for even less than the daily guarantee of $61.60?

Who gets away with opening a "satellite" terminal and hiring people there while people with over ten years seniority are laid off at another Central terminal in the same city?

Today it is Matty Moroun

Boss over Central Transport, Central Cartage, Genesee Cartage, Cadillac Leasing, Michiana Trucking, Danv-Ill Leasing, Dunes Leasing, McKinlay Transport, Quad States Leasing, and who knows what else.

Moroun's empire is one of the fastest growing in trucking. In the last ten years he has bought out Norwalk, Mohawk, Michigan Express, and parts of Associated and Eastern Express. In the process he has ripped off thousands of Teamsters and amassed a fortune large enough to try and buy the Ambassador Bridge from Detroit to Canada.

But Tommorow, It Could Be Anyone's Boss in Freight

After all, if Moroun can get away with it, why not your boss? Moroun is using his cut-rate contracts to do cut-rate business. Now he's charging 20% less than his competitors. Already carriers are demanding concessions so they can meet Moroun's cut-rates. (see ICL Notice).

Special Commodities— Cover for Sweethearts

Moroun cuts the U.S. freight contract to ribbons with a very simple trick. His main company, Central Transport, has rights to ship freight. It is covered by the basic freight contract. Moroun also owns "leasing companies" that do not have ICC rights. They lease their trucks and drivers to Central. Since they pay the wages and set the conditions, they bargain with the Teamsters. But instead of signing the freight contract, various Teamster officials have given them special, substandard "loose-leaf" contracts.

The excuse for giving these sweetheart contracts is that the leasing companies supposedly haul "special commodities." This is a fraud. First, these companies aren't even signed up under the special commodities rider to the national contract. Even more important, a steward at one of Moroun's Michigan "leasing operations says over 50% of the tonnage hauled is general freight. It seems "special commodity" is whatever Matty Moroun says it is and whatever the union is willing to turn a blind eye to.

The contracts vary in some details, but the main features are:

One or two hours on each stop are free. "City direct drops" in Chicago for Dunes Leasing can involve waiting to unload, unloading off the floor, driving to empty trailer, picking up another empty, waiting to load and finally loading. Some involve even more. The driver receives no pay for city miles driven and must give the first two hours stop at each location with no pay. The same goes for each breakdown, fueling, equipment check in and repair, etc. It is not unusual to spend a full day in Chicago and not even make the $61.60 guarantee. The drivers get slightly higher mileage pay (from 27¾c to 30c), but that does not make up for the lack of hourly pay and the short runs. For example, there is no such thing as an "8 hour mini.".

Drastically lower benefits. There is no jury duty, personal or sick days, funeral leave, and one less holiday.

Lessened job security. Seniority held only six months if off sick, and one year if laid off. 120 days probation. Plus many more weaknesses in language.

As if all this is not bad enough, Moroun's "special relationship" with some Union officials has got him so cocky, he doesn't even live up to the terms of the contracts he has signed. Flint drivers for both Central and Genesee report the pile of grievances already filed is over 4 inches thick.

These contracts not only allow Moroun to underpay and overwork a large percentage of his employees. Nothing stops him from moving freight from one company to another if any group gives him trouble. He can get his employees so busy thinking each other is the enemy that all he has to do is stand back and laugh all the way to the bank.

McKinlay Strike in Canada. Matty Tries Divide and Conquer

The strike against Moroun's Canadian operation, McKinlay Transport, began in October. The issues include company refusal to abide by arbitration decisions, pay shortages, constant closing and opening of terminals, refusal to maintain equipment, and the complete withdrawal from any border operation agreement. (Central is now advertising direct service from within Canada to Western Michigan and other points in the U.S. Also see ICL letter).

McKinlay had tried to use the employers association as a shield to keep from resolving issues which were particular to McKinlay. The Union refused to sign the overall agreement with McKinlay until these issues were resolved.

In late December, Moroun's labor boss, Charles Garvaglia, began circulating a letter among laid off Moroun employees in Michigan. It contained charges which he had persuaded a few Canadian Teamsters to file against their officials asking for an end to the strike. This blatant interference by the company in internal Union affairs was designed to split the strike and promised to get money from the Union for the charging members.

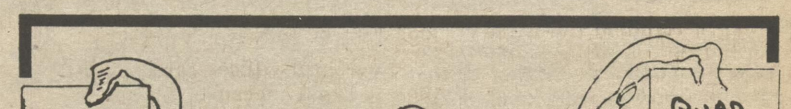
TDU Builds Strike Solidarity

Moroun and Garvaglia then tried to get U.S. Teamsters behind the charges. They promised the men—some of them laid off for months—fat back pay awards taken from the Union with free legal help from Central. Sadly, a few members have gone without a paycheck for so long that they signed the charges.

But Moroun couldn't fool many Central workers. TDU distributed a flyer to Moroun terminals exposing the trick and urging support for the strike.

Last word is that the Canadian members have withdrawn the charges and that the Canadian Local will sue the company for interfering in internal union affairs.

In Canada, Teamsters for Teamsters, TDU's Toronto affiliate, raised the demand for a demonstration at the border in support of the strike. It was passed unanimously at Toronto Local 938 on December 2. But the Local Officers have refused to implement this decision of the membership.



Punitive Change of Operations Stalled in New Buffalo

Meanwhile, another tentacle of the Moroun empire has been stopped for the moment, in its drive to redomicile the Quad States Leasing drivers from New Buffalo, Michigan to Saginaw. Moroun's request for the change contained no logical business reasons and did not even follow proper procedure. Moroun is used to getting his way. But the Quad States drivers are organized and the Central States Change of Operations Committee delayed the case for three months.

The change is aimed at punishing the Quad States drivers for their successful wildcat last January. Following the strike, which forced concessions from Moroun, the Quad States drivers kept organized. In July they won an NLRB decision allowing them to vote themselves into Local 298, which is closer to their terminal than Local 486 in Saginaw. Local 486 is headed by Moroun's best friend in the Teamsters, Neil Dalton, who had given Moroun a five year agreement for Quad States with no ratification vote by the drivers.

However, since that time, the International has abetted harassment by Moroun by ignoring the vote and trying to force the Quad States drivers into Local 7 in Kalamazoo, which has shown its colors by signing a substandard agreement with Dunes Leasing last January.

The members of Local 486 will hardly be the winners if Dalton succeeds in forcing Quad States back into 486 via a change of operations. Whatever favors Dalton wins, the Central drivers in Saginaw will then have a leasing outfit, Quad States, which Moroun will use as a dagger over them the way he uses Cadillac in Detroit or Genesee in Flint.

Fortunately, the Quad States drivers have been supported by the NLRB in charging not only that their transfer into Local 7 is illegal, but also that all of Moroun's operations are one company and that his manipulations of them violate the labor law. An NLRB hearing on these charges will be held in March. More details below.

Moroun Manipulations Challenged by Detroit Grievances

Another Moroun scheme to undercut the seniority protections of the freight agreement has grown up within Central Transport. After years of operating one Detroit breakbulk at the Six Mile Facility, Moroun opened a second one in the old Associated terminal in suburban Romulus. The work of the two terminals is completely interchangeable. Moroun cut work at the Six Mile. Lay offs up to ten years seniority resulted. Meanwhile, very low seniority people have continued working at the Romulus terminal.

TDU member Rich Marcum, steward at the Six Mile Facility, has filed a grievance which would prevent Moroun from playing Teamster off against Teamster and will defend seniority with a master seniority list for all Central's Local 299 dock workers. **Unless this grievance is won, no job in Local 299 freight will be safe. There will be nothing to stop any employer**

INTERNATIONAL CARRIERS INC.
7701 W. JEFFERSON • DETROIT, MICHIGAN • 48209 • (313) 842-4700

December 5, 1979

Dear Fellow Employee:

You no doubt know that Central Transport owns McKinlay Transport Limited and C-T Transport Limited and are a direct competitor of ours.

In addition to serving Ontario at the U.S. gateways of Detroit, Port Huron and Buffalo, Central serves Ohio, Illinois, Indiana, Michigan and Wisconsin.

Their operating authority in these states gives them a definite sales advantage over ICL. In addition, they have been successful in establishing a through highway operation without city employees at Detroit, Port Huron and Buffalo so that, for example, they can pickup a load at Cleveland and run it directly to Oshawa with the same driver and tractor. This gives them a tremendous cost advantage over ICL.

As a result of their advantages, they decided that they would not take a rate increase last October (an increase which we required to meet the October wage increase). They then decided that they would reduce all rates by 10%. This reduction is effective December 15, 1979.

If we do not meet their rates, we will lose all of our traffic. Therefore, we did not take a rate increase in October and we are reducing our rates 10% effective December 31, 1979.

If we continue to operate in the same way, at the same cost, we will not be able to pay our bills in 1980, regardless of the amount of business we do.

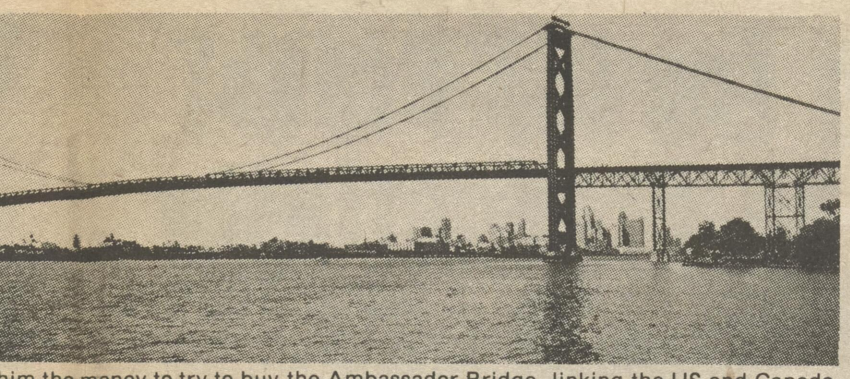
I urge every employee to do everything possible to help reduce our operating costs in order that we have a fighting chance of staying in business.

Eliminate wasteful practices, conserve fuel, check, count and handle freight carefully, and finally give us a day's work for a day's pay.

The job you save will be yours!

S.B. Ledere
Chairman of the Board

SBL:bjb



him the money to try to buy the Ambassador Bridge, linking the US and Canada.

from renting a terminal down the road, splitting the work and laying off whoever they want.

So far, Local 299 officials have done nothing to correct this situation. Once again they are sitting back and playing Moroun's divide and conquer game, which is exactly how the whole Matty Moroun octopus in the Central States and Canada has been able to grow into the threat it is today.

Furthermore, a group grievance has been filed in Detroit charging that Moroun is using Cadillac Leasing to undercut the Freight Contract in violation of Article 32 on subcontracting.

The pressure is on Local 299 to deliver on this one. The loss of jobs to phony special commodities deals in Detroit is huge. The members are angry. Local 299's officers are up for election in May. To try to quiet the members' demand for effective action, Local 299 BAs John Bridge and Gene Davis swore in front of 80 Central workers that if the grievance is lost Local 299 will take Moroun to court. This promise shows the officials are under pressure. But it also shows something else—they want to ignore some basic facts and are not prepared to take a course which can straighten out Matty Moroun quickly without the delay, expense, or uncertainty of a lawsuit.

1. Moroun still has big friends in the International. **The only way the subcontracting grievance can be lost is if a Union member of the grelvance panel votes with Matty Moroun.** The only was he got the substandard contracts in the first place was for Union Officials to sign them—even though they are in violation of stated Union policy. There is no dodging a fight **inside** the Union if you want to beat Matty Moroun.

2. Rank and file pressure has already made a difference. For the first time in over 10 years the International was forced, last summer, to sanction a strike against Central over the discharge of four Detroit members. After the grievance was deadlocked to the National level, strike sanction was granted and Moroun put the workers back to work with full back pay. This same procedure can and should be applied to the root of the problem—Moroun's whole system of phoney special commodities operations.

3.The rank and file is fighting back on many fronts, as this article shows. Moroun is under tremendous pressure. Some places he is trying to lull the members back to sleep with promises and concessions. He recently closed down Cadillac Leasing in Detroit, **temporarily** and brought a few Central employees back off layoff. He is trying to get off the hook and still keep his contract gutting machine intact.

4. So far the rank and file is like a powerful engine out of time. While one Moroun operation is hit, another keeps making money. While one group is laid off, another group hopes maybe they won't get it.

5. Some Local Officers are beginning to fight because Moroun's outrageous behavior and the growing rank and file fight. But they are still not willing to challenge the officials inside the Union who are running interference for Moroun.

The Answer: Rank and File Organization Behind a Strategy to Beat Moroun Once and for All

Without continuing organized rank and file pressure, the International will stall and bob and weave. Moroun will make more temporary concessions and wait for the members to get disgusted so he can smash them. Some officials will pursue ineffective strategies which will leave us waiting for years for an answer from a judge or for the next contract, instead of using the power which this Union has to correct the problem now. Even well-meaning officers will try to avoid confronting Moroun's friends inside the Union.

To make this fight the rank and file will need the cooperation of officials who will fight and will need to back them up all the way when they do. But if we wait for those officials to lead this fight we will wait till doomsday.

For this reason, the TDU is sponsoring a meeting on February 24 of Teamsters from all Moroun operations to build an organization that can lead that fight and build the necessary pressure within our Local Unions for a serious, successful fight.

We have a number of specific jobs to do which can take us a long way toward winning that fight.

1. We can pool information which will enable the NLRB and the Quad States drivers to prove that Moroun's operations are in fact one. The hearing is in March and we have to act fast.

2. We can jointly prepare International Union charges against those officials who have signed substandard agreements with Moroun in the freight industry in clear and direct conflict with stated Union policy. And we can organize in our locals to make our officials take a stand on these charges.

3. We can lay the groundwork for a massive joint grievance which will bring Matty Moroun's operations under the freight agreement and will give people decent conditions and real job security and stop the division of Teamster against Teamster.

4. Cooperate to build rank and file support to win the McKinlay strike if its not settled.

The TDU can, and will, start this ball rolling. We will back this effort 100%. But to succeed this effort will require the backing of every rank and file Teamster who shares our goal and of every local officer who sincerely wants to end the shameful reign of Matty Maroun as the cut-rate king of the Central States and Canada.

Tanker Cutrates: Different Names Same Game

CHICAGO STRIKE

In Chicago, petroleum tankhaulers walked out on Thursday, December 6, after twice having rejected the contract (472-58 on Nov. 4 and 943-535 on Dec. 3). The strike was settled quickly at several major companies, but at press time Texaco and Shell are still holding out. They are demanding that drivers 'bottom load' their own trucks. The men refuse to do this, as it would mean elimination of jobs and an increase in the drivers' work with no increase in pay. Despite their massive profits, these oil giants refuse to accept this and are running scabs through the picket lines.

The chemical and dry bulk carriers also moved to weaken the Chicago contract by demanding the right to run teams outside of a 250 mile radius. The previous contract had prohibited teams inside of 380 miles. Teams get no meal or motel allowance and must split their hourly pay when loading, unloading, or waiting.

Sellouts like the team rate and the lack of cost of living adjustment in the contract were all exposed by Chicago Area TDU/PROD in flier after flier. This contributed to the inability of the officials of Local 705, led by Louis Peick, International Vice President, to sell the contract until the third vote. Before the fight was over, however, Peick had to come up with a 1½c a mile increase over the company's previous "final offer", eliminate bottom loading, keep forced layovers down to 11 hours (the companies had demanded 14 hours) , and drop plans for a 70 hour week instead of the 60 hour Chicago tankers now drive.

EASTERN CONFERENCE

Although the Eastern Master Tanker Agreement was passed, it also ran into stiff opposition. Local 312, in Eastern PA., 676, in Southern N.J., and 697 in Wheeling, W. Va., all voted the contract down. In these locals the drivers, many of them employed by Chemical Leaman, rejected the mileage pay formula pushed by management and the union negotiating committee.

The biggest tank local in the East, Local 273 in Pittsburgh, passed the contract, but only after a two day strike (November 15-17). At a stormy local meeting on November 18 the contract proposed by Local President Charles Pennington was strongly denounced by the membership. Pennington was forced to resort to a barn by barn secret ballot to pass the contract.

The big sticking issue was the demand by the large petroleum hauling companies that all "new work" be renegotiated at a cut-rate. The argument they used was that gypsy outfits, such as Tri-State, were taking all the new business and that union tankers would have to cut their rates to stay competitive. The union officials bought their argument—and tried to sell it to the membership. What they neglected to mention was that gypsies run for $5.00 and change an hour. There is no way of knowing if there is any floor to this bottomless pit of cut-rate "new work" wages.

Another hot spot in the Eastern Conference was Local 773 in Allentown. There the cryogenic drivers at the AIRCO facility run by Chemical Leaman walked out on December 1. The company had refused to accept their demands for overtime pay after 8 hours a day.

The men were ordered back to work after 2 days, on Dec. 3, by their BA—and not informed of the terms of the agreement until December 9. This proposal was again rejected, this time unanimously. But despite continued opposition to the contract, the union refused to allow the drivers to resume their strike, as the Eastern Conference and 773 BAs continue to play the companies' game.

OFFICIALS RAILROAD COMPANY PROPOSALS

Throughout the Eastern Conference—in Locals 312, 773, and 273— there were complaints that drivers didn't get a copy of the contract before (or even **after**) the ratification vote. In all locals officials did not keep the men informed of the contract's status in other parts of the Eastern Conference. In Local 312, Chester, Pa., officials tried to pretend that the contract had been passed everywhere in the East, only to be exposed by TDU members. The Result: the local rejected the contract 164 to 112.

CENTRAL STATES: SPECIAL COMMODITIES

In the 13 state Central States Master Agreement, tankhaulers were forced to swallow a cut-rate provision which could gut the entire contract: a **special commodities** clause. Freight drivers are already familiar with how the "special commodities" rider in their contract has opened up a loophole for cut-rates on almost any article of general freight.

Now Article 24 of the new Central States Tankhaul agreement states that employers and the Union may approve special commodities riders at the state or local level. These riders are specifically set up so that they are more favorable to the **employer**. If there is a dispute between the local and the company, the company can still get its way: all it has to do is send the cut-rate deal up to the Joint Area Committee (JAC) for approval. Insulated from rank and file pressure at the JAC, employers will be able to get any cut-rate deal they want simply by calling a particular item a "special commodity".

All Michigan voted the contract down, including Locals 486, Saginaw, 283, Marysville-Detroit. Toledo also voted the contract down 179-17 as did Columbus, 98-6. While the vote in Cleveland and Canton was close, the contract did squeak by in those locals; but by and large it was hard to find too many tankers who were happy with the contract.

One separate contract which also was up was the LCL agreement. The company has split the drivers into two contracts, one for the Elkhorn, Wisc. local and another for Lafayette, Indiana. In Lafayette, the men had been forced into percentage pay in the last contract. This time the company wanted to push this cut-rate provision through systemwide. In both cases the drivers stood firm, with a strike authorization vote taken in Indiana. In both cases the men were successful in getting the percentage deal dropped from the contract.

TANKERS NEED TO GET ORGANIZED

There is no reason for tankers to be forced to accept such second rate contracts. The profits of the tanker companies are fat. Last year, for example, Matlack had a well above average profit—12.4% of its total revenue, or 40.9% return on every dollar invested. Chemical Leaman had a healthy 21.8% return on investment, yet it makes its Southern drivers work for $7.52 an hour or 18c a mile. While Northern tankers did better—they will still be running about half a dollar an hour behind Freight at the end of this contract.

There is only **one reason** for the second class contracts for tankers: **disunity. That's why TDU is building a network of tankhaulers.**

Communication is the first step. **Convoy Dispatch** will cover tanker news, but **only if** you send it in. Regular reporting and distribution of the paper will be one tool for building unity.

Tanker drivers are **joining TDU** to get organized. To win the **right to vote on all riders.** And to fight to restore **first class Teamster contracts** to the industry.

.....Clip and return to TDU.....

YES, I WANT TO JOIN THE TANKHAULERS NETWORK OF TDU

I will report on developments in my local and company so we can spread the word and improve communications between tankhaulers.

I want to distribute.....copies of **Convoy Dispatch** to my fellow Teamsters so we can stay informed on the cut-rates and the cut-throats.

I want to help build TDU in my area. Send me.....membership cards.

Name.....

Address.....

City.....State.....Zip.....

Company.....Local.....

Kentuckiana TDU Wins Big Grievance at A&P

By Herman Sharp
Local 89
Louisville, Ky.

I would like to let members of TDU and other Teamsters know how we feel about sticking together to get a job done.

In May of 1977 Rentar took over the driver and warehouse operations of A&P in Louisville. The stores had previously been serviced by Kentucky Transport Corp. It was a change that put our working conditions back 30 years.

Local 89 would not fight for the rank and file. They let the grievances backlog. Then we decided to join together with TDU. We decided to take on Rentar on a key issue:their abuse of the seniority provisions of our contract.

Last year Rentar hired some dock workers off the street and left senior men home for weeks at a time. The senior men filed a grievance for their seniority to be honored. We at TDU were able to have our attorney, Mr. Paul Soreff, file a brief on behalf of the workers in addition to the union's brief in the case.

As a result, the workers won. The arbitrator ruled that the drivers were entitled to work the dock rather than stay at home while junior men worked. He ordered that they be paid back pay for every day lost, including overtime.

Kentukiana TDU was formed in August 1979. This was our first case and our first victory—but we have many old grievances in our files. One by one we are going to try to get them before an arbitrator for a hearing.

So. Cal. TDU Shows . . .

It Pays To Be Organized !

by Wilson Overall
Local 595

Here is proof positive that rank and file organizing pays off not only in better working conditions but monetarily as well.

In Southern California, on Sept. 1, 1979, the Master Grocery Contract and the Master Institutional Contract both expired. The Master Grocery Contract covers workers in over a dozen locals, while the employers broke up the Master Institutional Contract into single shop contracts.

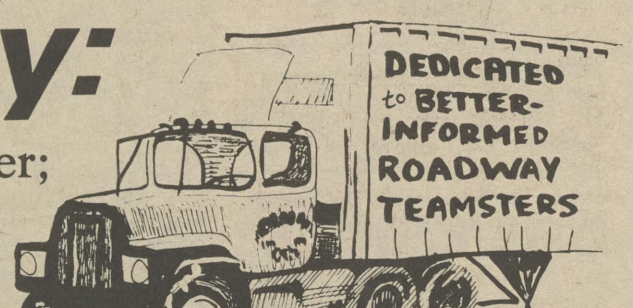
In Local 595, the Los Angeles Grocery Warehouse local, TDU has been active for two years and has been successful in organizing the rank and file to begin the fight for our rights. TDU has been particularly active at S. E. Rykoff, the largest institutional company.

Here is how the contracts stacked up:

ITEM	So. Cal. Master Contract	S.E. Rykoff Contract
Wage Package	75/50/50	80/40/40
COLA	3. corridor .45 formula	no corridor .3 formula
Est. Total Wages & COLA over 3 years	$2.75 to $3.00 per hr.	$3.50 to $4.00 per hr.
Office Catch-up	0	10c per hr.
Sick Days	5	6
Grievance Procedure	same	permanent arbitrator hearing within 30 days
Overtime	mandatory	voluntary
Rank and File Negotiators	NO	YES

Roadway:

Roadway Ignores Court Order; Cab Fumes & Poor Service; Big R Productivity Push



Reports on Roadway's productivity drive continue to come in. In Harrisburg and Buffalo management is pushing "employee performance logs" and "employee work reports." In Tannersville the dockmen are being called in for "counseling" on how to make more money for Big R. In Buffalo six casuals recently got letters, and its only a matter of time before they start sticking it to the regular men. In Harrisburg regular dock workers are already getting letters charging them with "theft of time". A barn meeting is scheduled for early January and the men are pushing for a telegram to the International demanding a strike against Roadway and its productivity plans.

OSHA Violation

Big R is headed for a trial before an Administrative Law Judge for discrimination against Howard Sten, TDU member on the Tannersville dock. Roadway was earlier fined $10,000 for OSHA violations. Now OSHA has brought charges against them for discriminating against Brother Sten.

Cutting Corners in Tenn. and Tx.

Roadway drivers are also feeling the pinch of management's push for profits. Long time PROD member, Laverne Pate, reports that the corners the company cuts on maintenance and design of the Road Boss II results in suffocating fumes in the cab when they hit the roads out of Memphis. Tommy Brice, also a long time PROD member, reports on how management at the Shreveport terminal refuses to adequately service its equipment. Result:city tractors are falling apart and the 10-100's pull to the left.

Is Roadway Above the Law?

Meanwhile,Roadway is defying a court order to pay Kenny Crawford, of Shreveport, a big back pay settlement. Roadway was convicted of harassing and discriminating against Crawford but refuses to pay up as ordered. This is just one more example of Roadway's arrogant disregard of its employees rights, wether it is the right to decent working conditions, safe equipment, or their rights under law.

The Big R newsletter will report on what Roadway management is doing on all fronts--but only if you send in the news. If you have a story on what is happening at your terminal, contact the TDU office.

Top IBT Brass OK Productivity

"We are not opposed to productivity standards."

—Walter Shea
Executive Assistant to
Frank Fitzsimmons
October 28, 1979

Roadway sweats new 'productivity goals' out of it s employees in Tannersville. Chathams grocery warehousemen pull 200 cases an hour. UPS grinds up Teamsters in it s big brown machine.

But that's o.k. with the IBT.

That was the message delivered to the "Industrial Relations Committee" of the American Trucking Association on October 28-31. The meeting brought together trucking executives and IBT officials such as Roy Williams, Walter Shea, Robert Flynn (Executive Assistant to the Director of the Eastern Conference) W.C. Smith (General Organizer), and George Rohrer (General Organizer).

Walter Shea

The meeting was supposed to discuss the grievance procedure. Instead it turned into a 3 day conference on how to make the industry "more competive" by making Teamsters work harder.

At this high level meeting Robert Flynn announced that the IBT was very happy that the courts had supported the Eastern Conference in upholding firings at Helms over productivity—in direct violation of Article 20 of the contract. Flynn gloated that this court decision is "very important to us."

And while productivity drives may be fine with our officials, they did find the time to complain about the fact that the members are increasingly grieving managements violations of our contracts.

"What's bad is the number of grievances filed due to the growth of the industry and **outside agitation.**" This was the observation of W.C. Smith a man who is supposed to organize Teamsters, not complain about how they use their rights. Maybe if he did more organizing and less brown-nosing of management, our Union would have better news than that we lost 25,000 members in freight between 1973 and 1979!

Chatham Sues 8 for 'lost production'

No discipline, no suspension, no warning. But suddenly 8 warehousemen at Chatham Foods in Detroit are now being sued for $150,000 by Chatham for an alleged "unauthorized work slowdown."

" Yes we have an incentive plan here...Work faster or you get fired! "

Their Local 337 contract states that they are to give a "fair day's work for a fair day's pay," and the contract also specifically says that there shall be no discipline for a work slowdown unless it is longer than 24 hours.

Chatham didn't find this language to their liking, so they pretended that the contract, even the union, didn't exist.

TDU member Bruce Falco, one of those being sued, told **Convoy Dispatch**, "There has been a past policy of not being able to burn anyone on a one day piece count. They had to take an average over some period of time. Now they're trying to get around that with this suit."

What will be coming out in court should be very interesting because this is not the first time Chatham has gone around the union. In fact, they do it with every new warehouse worker they hire! **New hires are forced to sign an agreement that they will pull a minimum of 200 cases per hour.** If you don't agree to keep up this hectic pace, they show you the exit door.

How has Local 337 responded to Chatham's outrageous behavior? When a group of Chatham workers went to the hall and demanded action, their BA said he had been trying to contact Local 337's attorney, Jerry Coleman, but he wasn't around. Secretary Treasurer Bobby Holmes Jr. then said that he didn't think Coleman could handle this case and that the local might bring in one of the International's lawyers.

Coleman must have taken some crash courses, because he is now "donating" his time to represent these members. Their doubts aroused, the eight members have also hired their own lawyer in case Coleman proves to be less than diligent in his "donated" representation.

Chatham's ability to skirt the union in the past, such as through the 200 case minimum agreement which violates the contract, has encouraged them to try to literally take these members to the cleaners. While their actions are totally reprehensible and must be beaten, it has been the lax attitude of Local 337 towards Chatham that allowed this situation to arise in the first place.

IBT ADMITS IT:

TDU Saves Millions for Central States Welfare Fund

It's official. The Teamsters Central States Health and Welfare Fund has been forced to send a letter to every participant in the Fund admitting that it was the class action suit of TDUers James Adcock and Claude Carpenter that was largely responsible for the restoration of nearly $3 million to the Fund.

TDU is pushing to recover even more money for the Fund in a suit against Tolley International. It was on the advice of this 'consulting firm' Tolley, that the fund turned it's assets over to George Hauser and the notorious Allen Dorfman. In the swindle that followed, $7 million of the Fund's assets were lost.

But while Hauser has been ousted from the fund, Dorfman has moved to **expand** his influence. Dorfman's company, Amalgamated Insurance Agency, which recieves $5.8 million per year to process the health and welfare claims for the Central States Fund has moved to replace the entire internal field staff of the Fund. This move would make it virtually impossible to determine whether or not Dorfman was processing the claims or skimming money off the top.

(Teamsters remember Dorfman as one of the few Fund Officials to actually get caught. In 1973 he went to jail for recieving a $55,000 kickback from an employer for whom he had arranged a loan from the Central States Pension Fund).

Meanwhile, the Senate Permanent Subcommitte on Investigations has reported that Fitz's friend, former Attorney General Kleindienst, did in fact receieve $250,000 in exchange for his "talking" to Fitz about turning the Fund's assets over to Hauser and Dorfman.

Fitz denies that there was any "connection", but the Committee reports unambiguously that it was "clear" that "this extraordinary payment was made solely to buy Kleindienst access and influence with Fitzsimmons."

So someone is lying. Maybe if our union officials spent less time confusing congressional committees and more time working for the rank and file—instead of the likes of Dorfman—then TDU wouldn't have to spend **it s** time recovering money for the members.

Late News...

FRANK FITZSIMMONS SERIOUSLY ILL SPECIAL CONVENTION IS POSSIBLE

As Convoy-Dispatch goes to press, we have learned of the serious illness of General President Frank Fitzsimmons. Rumors have been confirmed in a telegram sent to locals on January 4 which reports the postponement of the January General Executive Board meeting.

Fitzsimmons reportedly has no intention if resigning of retiring. However, should he retire, Article VI, Section 8 of the IBT Constitution provides for a Special Convention to choose a new General President.

In the event of a vacancy, First Vice President George Mock would have ten days to hold a meeting of the General Executive Board, which would then choose a temporary replacement and call a Special Convention to be held in six month's time.

Any such Special Convention, and the time preceeding it, would be a crucial time for our union to re-evaluate where we are headed. The state of our contracts, our organizing, our democracy, our commitment to the principles of unionism.

No doubt some officers would like to just get on with the business of re-dividing the spoils and giving the title to Roy Williams or some other International VP. But TDU fully intends to make sure the rank and file get their right to a full debate on the issues.

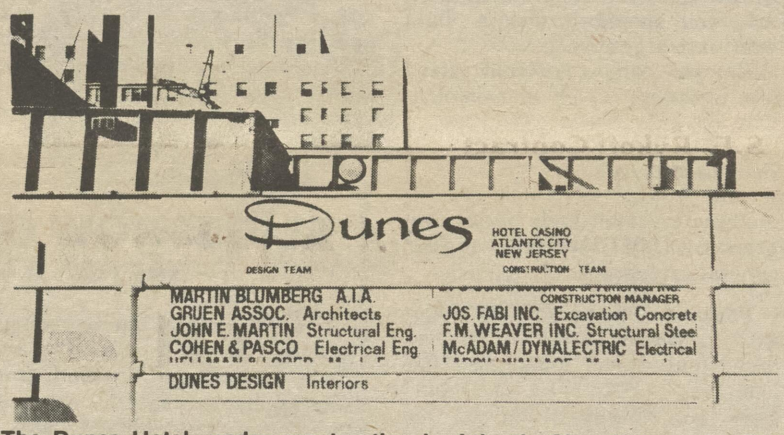
...but Central States Pensions Still in Trouble

On October 15 they took a shot at your pension.

On that date the Trustees of the $2.3 billion Central States Pension Fund took aim to fire the Independent asset managers—including Equitable Life—who are guarding your pension.

Once Equitable is fired it will be hunting season once again for the shady real estate speculators who looted the Fund before some control was installed in 1976.

Already they are straining the leash. In October the Trustees of the Fund attempted to make a $92 million loan to Morris Shenker for his Dunes Casino project in Atlantic City. Shenker has been trying to pry this loan from the Fund since 1975 when he attempted to obtain a mere $40 million. Aware of Shenker's mob affiliations, the Labor Dept. moved to block the load in 1975 and they have moved again to block it now. The government took the fund to court on the matter on Nov.5.



The Dunes Hotel, under construction in Atlantic City, N.J. Is the IBT playing "Pension Roulette"?

The Central States Pension Fund: Your Pension, Their Casino

The number one recipient of Central States money before the Labor Department intervened was Morris Shenker. In addition to having a major stake in the Dunes Casino, Shenker was Hoffa and Tony "Pro" Provenzano's attorney in the 1960's. Indeed, Provenzano himself was recently reported in the **Trenton Times** (N.J.) to be the secret owner of the Dunes.

Among Shenker's more outrageous transactions was the loan he received for $150 million in 1966. The money was received for a real estate venture, **and never repaid.** The Fund took over 80% ownership of the real estate in 1973. Shenker got off scot free with 20% ownership of the property and no obligation to repay one cent. And when the Fund finally sold the property in early 1979 it was found to be worth only $91 million!

In January 1976 the Labor Dept. announced that it was going to clean up the Central States Fund. Fitz pledged the union's "1,000% cooperation."

But the "1000%" didn't do the job. It took the IRS revoking the Fund's tax exempt status in June of 1976 before the Trustees of the Fund would cooperate. Once this threat was hung over their heads the Trustees agreed to a five year vouluntary agreement to 'clean up' the fund.

Most importantly, management of the Funds assets was turned over to independent firms—Equitable Life Insurance and Victor Palmeri and Co.

For a while things were looking up. The independent firms did act as watchdogs on loans to the mob. They cut back on speculative real estate investments, knocking them down from 70% of the funds assets ($876.6 million in 1976) where Fitz and Co. had left them—to a mere 35%. They boosted the Funds income from a mere 4% return on equity to 9%.

But while that might have been good news for the rank and file it didn't please the IBT officials and employees who sit as Trustees of the Fund. From the start they have resisted the governments clean up program:

- As of January 1978 they stopped the review of the 100 questionable loans made since 1965.

Since Febuary 1978 the Trustees have run legal interference for the 'old' trustees in a key lawsuit brought by the Labor Dept. The suit aims to restore some of the millions of dollars lost in Teamster pensions. Because of the stalling tactics of the 'new' trustees, the suit, now 2 years old, could last forever.

- As of May 1978 they fired the new reform-oriented Executive Director installed by the Labor Dept., Dan Shannon, who was replaced by John Dwyer, who was in turn ousted in October because he was overly cooperative with the government in their efforts to stop Shenker from receiving the loan he has been after since 1975.

The new Director, according to **Pensions and Investments** is slated to be Thomas Duffy. Duffy was ousted from the Fund during the 1976 clean up and has been a representative of trucking management for decades. He served as a **management** Trustee of the Fund and an attorney for the Wisconsin Motor Carriers Labor Advisory Council. Now he will be paid $75,000 a year and be responsible for literally billions of dollars of pension money due the rank and file.

Equitable Out, Shenker In

Now, in the biggest move of all, the Trustees are trying to get rid of the independent asset managers, Equitable and Palmeri, once and for all. On October 16 they petitioned the Labor Dept. citing charges against these outside watchdogs. If they succeed in ousting Equitable it will be back to the good old days when our pensions served as the easy money bank for organized crime, back to the days when the Fund itself admitted that they denied hunddreds of Teamsters over $800,000 in pension money they deserved.

Local 710 Pension Fund

Who Collected the Rent on Sherman House?

Why did the Trustees of Local 710 Pension Fund bail out a losing property and then fail to collect any rent on it once they aquired the lemon? Chicago area Teamsters would like to find out. And Chicago Area TDU/PROD is forcing an IRS and Dept. of Labor investigation to get the answer.

It began in 1973 when the failing Sherman House lost $7.7 million. The owner of the property was "H.S.Associates." The motley crew behind H.S. Associates was:

- Gerald Kaufman, business partner of Allen Dorfman and Donald Peters, President of Local 743.
- Ben Stein, who spent 18 months in jail for bribing a Teamster official.
- Barry Marlin, a convicted felon serving a 10 year term for tax fraud.
- Dominic Senese, President of local 703.

H.S. Associates already owed $3 million to Aetna Insurance Co. and needed cash fast. In 1974 they found an obliging bank in the Local 710 Pension Fund. The Fund loaned H.S. Associates $5,250,000 to pay off Aetna and spruce up the Sherman House.

But it continued to lose money. In 1976 the Fund began to move to take over the failing hotel, and formally took possesion in 1978.

But there was one small hitch: the Fund didn't collect the rent. Instead it was sent to "Core Management Co.,"Room 802, 65 E South Water St., the President and sole director of which was one Ms. Barbara Fedor. Ms. Fedor just happened to be the long time and present assistant to Gerald Kaufman of H.S. Associates. (And H.S. Associates just happened to share the same address with "Core Management"!).

So the Fund got the title and Kaufman got the rent!(No rent from the Sherman House was reported in the Fund's tax forms for this period).

By late 1978 it looked like the Local 710 Pension Fund was headed for a disaster. But suddenly, the State of Illinois decided to pick up this losing property. Coincidentally,perhaps, this occured just after Gov. Thompson received a $25,000 gift for his re-election from Joint Council 25 DRIVE. To make matters worse, the State couldn't make up its mind how much they wanted to shell out. In January they offered $7.6 million; but by February 15 they were offering $13.2 million, a nice 74% increase in 37 days!

CHANGE IT!

Constitution

Adopted by the Las Vegas, Nevada Convention June 14-17, 1976

by Doug Allan

Can Your Local be Dissolved Or Split Without Your Vote?

Under the present IBT Constitution your local can be dissolved into another local or split up without any vote of the membership. Article IX Sec. 11 gives the power to the General Executive Board to merge locals. Article XVII gives the power to split a local to the GEB also.

One part of Article IX states that "the General Executive Board may **at it's own discretion** conduct a referendum vote among all members of the local union or subordinate body, or of the members in any division, craft or place of employment, or under any specific contract or on other similar basis as the GEB may determine. The result of such referendum, if conducted, **shall be advisory only.**" In other words, they may give you a vote if they feel like it, but it would not be binding anyway.

Examples in Canada and Ohio

In 1977 the membership of Local 213, the IBT's largest construction local in British Columbia, elected Jack Vlahovic against the wishes of IBT Vice President Ed Lawson. Soon thereafter a new local was created, "Local 180", to split Local 213. The members didn't want it, and they sued in court to stop it. The local was quietly dissolved, with no backing from the members.

In Cleveland Local 507 was created by the Vice President William Presser as a new toy for his son Jackie. Jackie and his relatives became the officers with salaries in six figures. Since then, the threat that "you will get dumped in Local 507" is always used to keep the members of Cleveland Local 407 in line. For example, when a dues increase was needed to push salaries higher, the officers sent out a mailing threatening the members with getting dumped in 507. The list could go on—with dozens and dozens of examples how this power is used to control our locals.

Court Cases

Currently there are legal battles going on to protect the members right to vote on getting switched from local to local. For example, an NLRB hearing will come up in March on this matter regarding Indiana (298) and Michigan (486) Locals.

Some of the articles in your Constitution that are beneficial to the rank and filers are only there because of federal laws or hard won court decisions. We don't want the government running our union, but we don't want a few overpaid officials such as Fitz and Co. to run our union, with the power to split locals at will either.

Articles IX and XVII must be changed to restore autonomy to our locals. This is one Constitutional Amendment that TDU will fight for, and that all members who desire democratic unionism will have to fight for. It's one more reason the 1981 IBT Convention is so important.

ISC Discusses Constitutional Change in IBT

On December 15, the new united International Steering Committee (ISC) of TDU met in San Francisco and Detroit, and laid plans for a Movement for Constitutional Change in the Teamsters.

A brochure will soon be published outlining the plans to win important reforms in the IBT Constitution, including minority rule on contracts and right to vote for all officers, including General President.

"This is the most important activity TDU can undertake, because its the only way to really return control to the members," Steering Committee Co-Chairman Doug Allan stated.

In other action, the Steering Committee—

- Adopted a report by TDU Organizer, Ken Paff, on "Organizing for Growth in the Coming Year," and at the same time sent copies out to local chapters to solicit further input from TDU members.
- Passed a motion to have a committee of experienced chapter leaders establish a plan to increase the rate of membership renewal, to further growth of the movement.
- Reviewed the first issue of **Convoy Dispatch** with unanimous approval of the issue. In addition, a rank and file Editorial Committee was elected to help with the paper and to get further input.
- Discussed the date and place for the 1980 Rank and File Convention. A target date of late September was approved and the Ohio-Michigan area was designated over other motions made.

KNOW YOUR GRIEVANCE SYSTEM!

This monthly CONVOY DISPATCH feature will aid our readers in the art of filing grievances. It won't tell you how to win every particular case, but it will give general rules and principles that will give you the best shot at it. If you have questions on the material in this column, please write to us and we will try to answer you.

What is a grievance? It sounds like an easy question. But the fact is that few people really know the answer. Some will reply that any gripe is a grievance. Many people will tell you a grievance is a contract violation. In fact, so will many BAs. Many locals have grievance forms which even call for the member to fill in which Article of the Contract was violated, implying that only if some article was violated could there be a grievance.

But this is wrong. It is too narrow a definition of what constitutes a grievance. Too many of our contracts have been eroded away because of a lack of understanding of this basic question.

A grievance is any unjust act, practice, or condition which management has the power to correct.

You cannot grieve what management does not have the power to correct. For example, if your steward was appointed instead of elected, you can't grieve it. It's an internal union matter. You can't grieve against a fellow employee. And you shouldn't turn a 'bum beef' into a grievance.

But you can and should grieve any injustices which management does have the power to correct.

Four Categories

There are thousands of possible grievances, but they fall into four general categories.

1. Contract Violations. This is the clearest type of grievance, and, as mentioned above, sometimes the only kind a BA will understand. Even here, however, you can get into contract interpretations which are complicated.

2. Violation of Written Precedent Examples of this include company rules, dispatch procedures, or written interpretations of the contract from arbitration or grievance panels. Since such written interpretations form the basis of grievances, TDU is fighting to make all secret material on contract interpretations public (see p.12, "Black Book" article).

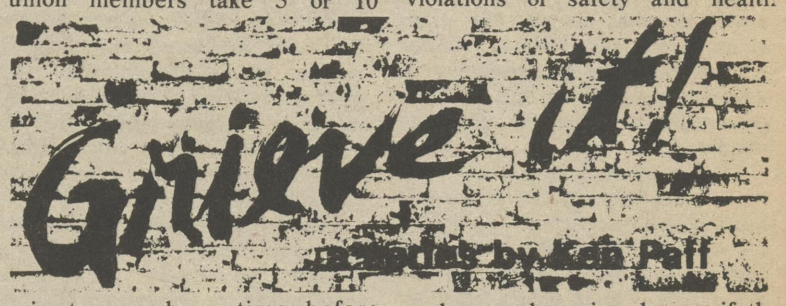
3. Violation of Past Practice. Even where the contract says nothing, and you have no written precedent, there can be grievances based on established "past practices". This is where a certain practice has existed for a period of time, and both management and the union have allowed it.

For example, in many shops union members take 5 or 10 minutes wash-up time before punching out. It may not be in the contract but it has been taken by the workers as a right, and management has allowed it. Suppose one day the foreman fires an employee for quitting 5 minutes early to wash up. Is this union member protected? By the principle of past practice the member has a good grievance.

Article 6 of the NMFA (and many other contracts) recognizes past practice by stating that no established practice, even if it is not in the contract, can be taken away except by local bargaining at the time the contract expires. Thus past practice is recognized in the contract.

4. Unfair Practice. Even if there is nothing in the contract, and no past practice to protect you, you may have a valid grievance. If it is a bona fide unfair practice by management, you should file a grievance and demand representation on it.

For example, suppose a new machine is brought into the shop. What wage classification will the new operator get? It's not coverd in the contract because the machine did not exist before. And there is no past practice. Yet it is a valid subject for a grievance. Also, violations of safety and health codes can be grieved even if the contract does not recognize them. (The NMFA explicitly makes safety violations contract violations.)



Too many contracts are going downhill with grievance 'interpretations' eating them away. BAs eagerly bump grievances upstairs. It is forgotten that the grievance procedure is an arena where the union has to battle the employer to protect our rights. Fighting to change our union means changing the grievance procedure, and making the most of what we've got. It's a matter of union itself.

[Next issue: The Mechanics of Filing Grievances]

SLIDESHOW ON WIVES IN TDU NOW AVAILABLE

From the picket line to putting out the local chapter's paper, from making banners to serving on the chapter steering committee, wives make the rank and file movement 100% strong. This slideshow, with accompanying cassette tape, shows the many ways wives and sweethearts have helped build TDU. Show it at your next chapter meeting, or use it as a discussion starter at a Wives Get-Together. Rental is only $10. To reserve call or write the TDU office.

Start the New Year off right!

Join the "100-100 Team"

The fight for democracy costs money. We are asking you to join the *"100-100 Team."* This is 100 Teamsters donating $100.00 apiece to raise $10,000. Your contribution will be *tax deductible.*

This $10,000 will enable us to:
- provide training materials and workshops for chapters and individuals
- increase staff salaries which presently are pitifully low
- expand our organizing efforts into new areas—regions and jurisdictions

To join the *"100-100 TEAM"* do the following right away:
- fill out the form below
- make out a check or money order to *Teamster Rank and File Educational and Legal Defense Foundation*
- mail to: TRF, Box 10303, Detroit, Mich. 48210

Name_____ Company_____

Address_____ Local_____

City_____ State_____ Zip_____

Amount contributed_____ Date_____ Chapter_____

My name can be used on a list of donors: ☐yes ☐no
I wish to remain anonymous: ☐yes ☐no

TDU Meetings

B.C.-Yukon TDU
Thursday, Feb. 7, 7:30 pm
Coach House Motor Hotel

Chicago Area Chapter
TDU-CAP Educational Meeting
Ford City Holiday Inn
7353 S.Cicero Av.
1 PM Sunday, Feb.3

Cleveland TDU
Saturday, Jan. 26, 3 PM
Sachsenheim Hall,(on Denison near Ridge).Educational Workshop

Eastern Pa. TDU
Saturday, Jan. 19, 4:30 PM
Holiday Inn-Bartonsville,Pa.

Iowa
Eagles Lodge
6567 Bloomfield Rd.,Des Moines.
Sat.,Jan. 12, 2PM.

Kansas City Area
Ramada Inn-7th and Washington
(Broadway Exit,I-70.K.C.,Mo.

Lansing Chapter
Sunday January 6, 2 PM
Eagles Lodge, 4700 North Grand River. Instruction on Parliamentary Procedure and review of by-laws.

NYC TDU Meeting
12 Park Place, N.Y.C.
Sun. Jan. 27, 11 AM

Saginaw
Sunday, Jan.27, 2:RLDS Church, Midland,Michigan.
Special Workshop-Tank & Freight

So-Cal.
Sunday,Jan.13,2:00 PM
By-Laws Campaign.
Cerritos Park East
1324 E. 166th,Cerritos.

Spokane,TDU.
Saturday, Jan. 19, 9:30 AM
Firemen's Credit.
Evaluation of Election.

Western N.Y. Chapter
Sunday, Jan. 13, 1:30.
Polish Falcon Club
445 Columbia Ave. Depew.

L.A. OFFICE

TDU's So. Cal Chapter recently opened an office to expand educational and organizing activities in the LA area. Peter Landon, who worked in the National office is staffing the office along with Teamsters and spouses who volunteer time.

ATI Bankruptcy Hits Over 1000 Jobs

On Thursday, December 6, Ford Motor Company transferred all its business from ATI to other carriers at terminals in Wayne, Michigan; Buffalo, N.Y., and Lorain, Ohio. December 14, ATI filed for bankruptcy.

Ford withdrew its business because ATI was far behind on payments to Ford for claims and equipment. Yet the public record shows ATI has been a consistent money-maker for its owner J.P. Kavoras, and that ATI's labor costs per mile hauled are lower than its competitors'. Operating revenue has exceeded operating expenses in every year since the 1974 recession. It appears ATI was bled dry by its owner.

A leaflet distributed by ATI pickets in Wayne said, "The carriers now dispatching ATI's traffic will need more employees to do this work. They should not be permitted to pass over our older men who have devoted their working lives to this business. ATI workers should be hired with respect to seniority."

Buffalo ATI responded quickly to the main terminal closing. These Local 449 Teamsters set up informational pickets at the main loading docks on December 10.

While keeping up the line and contending with bad weather, the drivers took other avenues to bring attention and pressure to their case for being guaranteed jobs and seniority at NuCar Carriers which took over the traffic.

They contacted the local media so all area residents, especially Teamsters in other crafts, would learn of the situation. The coverage was very positive, especially from WGR-TV. There were also countless visits and letters to area congressional representatives.

On December 11th there was a special Local 449 carhaulers meeting including the Anchor and M&G Terminals. BA Charlies Lewczyk assured everyone that things would be worked out. Unfortunately, many carhaulers have little faith in him after last spring's fiasco over the carhaul contract proposals.

ATI Steward Mike Klink has filed a grievance similiar to others being filed on the ATI and GM cases under Article 5, Section 4. A carload will go to Florida to show strength at the grievance panel. In addition, the Carhaulers Job Security Petition was successfully circulated at Buffalo area terminals.

ATI employees in Wayne picket terminal and Local 299. Buffalo got the ball rolling with solid pickets and publicity.

Three very good signs of rank and file understanding, unity and organization have come through in this situation. The immediate rank and file organized response is new for Buffalo area carhaulers. The actions have been well planned and coordinated and the informational picket line has stayed up.

Second, the Canadian carhaulers of Auto Haulaway Ltd. who bring in most of ATI's cars have mostly refused to cross the informational picket line. At a time when trucking companies are always seeking to exploit differences between U.S. and Canadian drivers, this has been a **great** thing to see, and has been much appreciated by the ATI drivers.

Finally, some of the NuCar drivers that have been forced to take over the ATI work have wanted to sign the Petition. Some Buffalo drivers have remembered that many of these same NuCar drivers from New Jersey terminals walked out last June to try to get a contract that would get us real job security.

Thanks

The grievances to protect job security in the GM traffic shift and ATI bankrupty cases are being heard in Florida as **Convoy Dispatch** goes to press.Next month's issue will include a complete report.

But a special note of thanks is due to all our readers who took time out of holiday activities to circulate the Carhaulers Job Security Petition which was begun by stewards and officials from several locals. The petition was to the National Grievance Panel supporting strong action to defend our jobs. The response from many, many areas was a terrific Christmas present.

Al Norton of KAT in Kenosha included the following comments with copies of the Carhaul petition:

"My suggestion would be that ATI drivers get preference over new hires by the company hauling their product. I don't believe they should carry their seniority. That would cause undo hardship for another group of drivers in the company they are hired into...We have some drivers with 26 years of **company** seniority, but only 7 years **terminal** seniority. Some young drivers, on their first job, have more **terminal** seniority than these men. Now, **that** is hard enough to accept. It seems unnecessary for them to have to drop below drivers from a foreign company."

Everyone agrees we need better job security. Exactly how we get it needs an open discussion among the rank and file. Your comments are welcome and important.

3500 UPSers Walk Out in NJ

3500 UPSers who work in hubs and centers from Trenton, NJ to Chester, NY walked off the job Friday, January 4 when UPS fired 3 Local 177 officials by lifting their leave-of-absence from UPS. (Their supplemental contract provides for full-time union officers to retain their company seniority.)

The officials are Vice President Joe Purcell, Recording Secretary Howie Kahn, and Trustee Danny Romando. To add insult to injury, UPS notified the local their access to company property was being restricted, a move also reportedly tried in Hartford, Conn.

In recent weeks UPS has issued off-hand firings and arbitrary discipline. Problems were especially acute at Parsippany, Secaucus and Edison, NJ. Work actions had threatened to shake UPS out of its harassment as well as its insulting behavior to Local representatives.

UPS got a court injunction ordering these members back to work. But the International beat them to it. Eastern Conference Director Joe Trerotola told the local to get the members back to work before the injunction was even issued.

It will take strong leadership and membership determination to get UPS to really change its ways. Otherwise, with the International's cooperation they will simply return to "business as usual".

Carhaul gets nothing from Chicago Local 710 BA

Chicago carhaulers in Local 710 have made a stride forward toward rank and file organization. On December 9, over 30 drivers from JATCO, Car Carriers, and Clark Transport got together in the carhaul workshop at the Chicago Area PROD and TDU meeting.

In the lively discussion it became clear that Chicago carhaulers share a problem of inadequate representation, especially by Local 710 BA Oscar Mischan.

Car Carriers-Clark Capers

A sad example is the grievance filed last summer by Car Carriers Steward Ken Arnold to preserve seniority rights. As reported in the last **Convoy Dispatch**, prime T-Bird traffic hauled for years by Car Carriers has been shifted to Clark Transport. Car Carriers and Clark share a single principal owner, James P. Byrne. By juggling trip lease placards, the two companies have been more or less combined recently to the severe disadvantage of Car Carriers drivers. High seniority Car Carriers drivers now find themselves either laid off or hauling inferior loads while Clark hires off the street.

But in spite of the substantial evidence that owner Byrne is manipulating traffic to get around the seniority provisions of the contract, the Wisconsin Joint Auto Transport Committee ruled the drivers' grievance was"not a proper subject for the grievance procedure." If local 710 had pushed this grievance, the Committee would have had to deal with this unique and threatening situation.

JATCO Jive

JATCO-Chicago drivers have the same Local 710 BA, Mischan,and plenty of problems. In November, the company laid down new dispatch rules without notice or warning. In addition to moving the starting time up from 8 am. to 7 am., JATCO laid down the rule: Work 60 hours every 7 days.

A group grievance protesting the new rules was summarily rejected at the local level. Appointed Steward, Harold Johnson, chose to overrule the drivers he is supposed to represent; he went along with management's 60 hour slavery scheme. Johnson also took it upon himself to warn drivers not to attend the December 9 TDU meeting. The boys might get ideas....

If anyone thought JATCO "needed" the forced overtime rule because of heavy business, they found out differently soon enough. The majority of the JATCO-Chicago drivers were put on indefinite layoff in December. But the forced 60 hour week remains in effect. JATCO's philosophy: Lay off the many;force 60 hours on those left.

Laid off JATCO drivers are not wasting their involuntary vacation.

Several now have copies of the TDU handbook, **How to Reform Your Local By-Laws**. The right to elect and recall stewards might be a good place to start in Local 710.

SIX WAY SPLIT

CCI Dumps its Brokers in Houston. In 1977 Commercial needed trucks for its expanding business. They asked their drivers in Houston to become brokers. So instead of paying interest to buy trucks, Commercial was collecting 1½% a month off its brokers. It also meant the brokers had to absorb the escalating cost of fuel. Now busines has slowed, and the fuel surcharge means the increased rate for fuel goes to the broker. So on December 1, CCI showed its gratitude by abruptly canceling the leases of the Houston brokers. Letters from Houston drivers to CCI bigwigs James Cobb and John Kelly have not even gotten the courtesy of a response. The situation is even more aggravating since all during December CCI has brought brokers from Denver and Memphis into Houston to handle overload traffic.

At Motor Convoy Jacksonville 5 or 6 yard jobs were lost December 1st to a non-union outfit paying $3 an hour, Bozart Services. Local 512 did not even file a grievance over this loss of work to their members.

Rights Denied on Warning Letter. Many grievance panels are overloaded with work because of management's drive to erode our contract. To relieve the work load, most panels have decided in the last year to take away our right to grieve warning letters unless enough accumulate to involve discipline. **LA Hadley** drivers wrote to point out this takes away basic rights which we should have as citizens. Also, the accumulation of warning letters will often prejudice a member's case when the letters finally come up for a hearing. The time delay can hinder the member's witnesses and defense. Since we can never be sure that a letter will be thrown out, even completely worthless letters will have an intimidating effect on many. All of this is particularly true now that the companies are using slow times and idle management personnel to harass the workforce with warning letters. Your best defense for now is to fully protest letters at the local level and keep good records so you can defend yourself if you do eventually get before a grievance panel with your protest.

Wilbur Warren of CAT in Flint passed away January 1. He'll be missed more than words can say.

OK City, Cut-Rate Country. Now that the new GM X-Body plant in Oklahoma City is nearing full production, United Transports has dictated--with full Union approval of course-- what they will pay for backhauls into and out of OK City.

The rule is pull your own cars and deliver both ends with ½rate on the short leg. United drivers estimate over half the loads out of OK City will be include in these cutrates tied to loads from Houston, Kansas City and St. Louis. The half rate zones are enormous. Drivers can count on losing an extra day with splits and deadhead miles.

Anchor Terminal Manager tops list for personality grooming. Report from Anchor Baltimore is all 40 employees graduated the Dale Carnegie course with flying colors. The company selected the group for a company-paid "attitude improvement course."

On graduation day, the instructor circulated a questionaire. All were agreed what they "liked best about the course" was being paid $10.38 an hour for the chance to sound off about what is really wrong at Anchor. Asked to recommend those who could benefit from instruction in 'how to win friends & influence people,' the graduates put TM Bob Hollohan at the head of the list.

Hollahan also won new popularity by **installing a company doctor in a mobile home at the terminal.** The new physician **really is** named Doc Holliday. She allegedly gives out muscle relaxants like candy. 'Don't let that sprain bother you... go back and load that truck.' The Doc also apparently finds it hard to understand how wearing a thumb splint can interfere with tying down cars. Doc's mobile home is shared by the personnel manager. Now that's teamwork.

"...for labor peace...labor benefits... labor grievances..."

Dickie Fitz Admits Pay-Offs

•He is a General Organizer, appointed by Frank Fitzsimmons.

•He was appointed BA for Local 299 until 1977.

•He was a panel member of the Central Conference Joint Area Committee, deciding precedent-setting grievances for a hundred thousand drivers and dockmen, from 1975-1978.

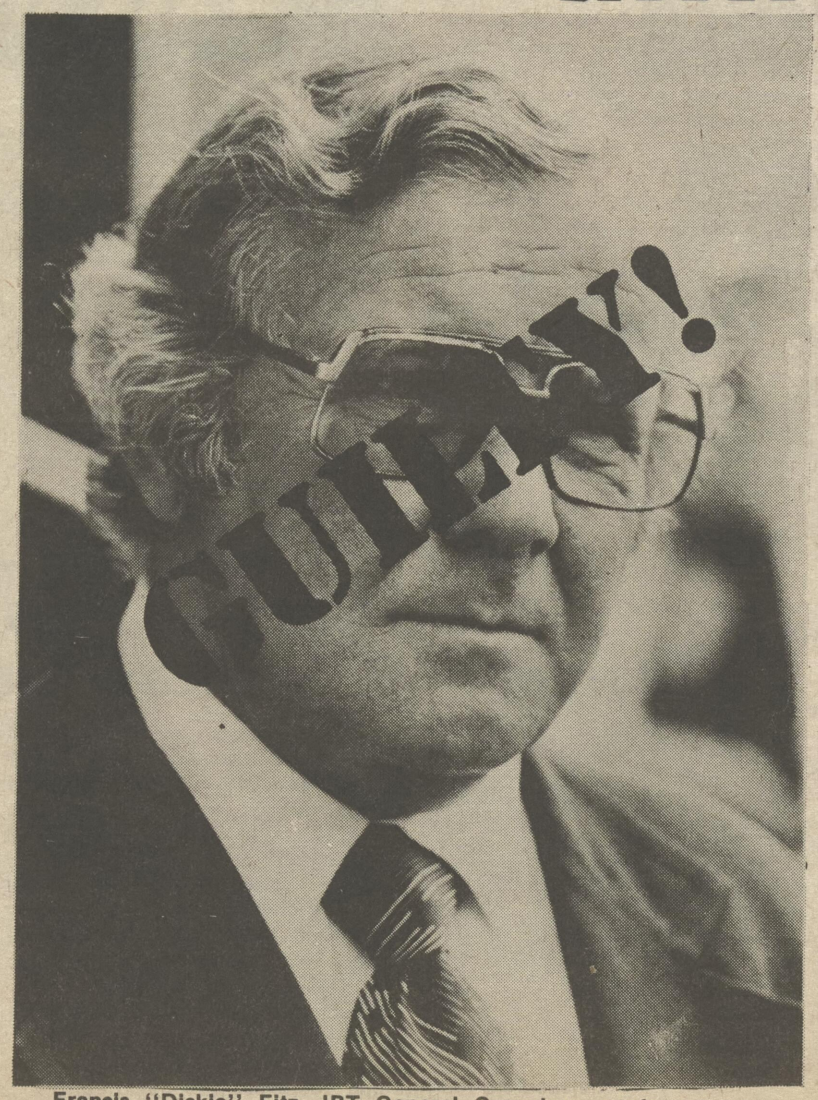
•He is the son of Frank Fitzsimmons.

•And he is a confessed felon, he has admitted to taking payoffs from employers to sell out our union.

In the words of the indictment, which Fitzsimmons himself said are true:

"It is further alleged that the defendants Norman E. Klein and J. Richard Wolfe participated in and caused to be paid secretly and through conduits to FRANCIS RICHARD FITZSIMMONS for the secret purpose of influencing FRANCIS RICHARD FITZSIMMONS in respect to his actions, decisions and duties as a Teamster official and for obtaining and retaining labor peace and labor benefits, to include the participation of FRANCIS RICHARD FITZSIMMONS in labor grievances...to include local 124 and 299."

The government has charged Fitz with taking $2,100 per month from January 1976 to April 1979, for a total of over $58,000 in addition to prior payments starting back in 1972. A total of **104** acts of racketeering!



Francis "Dickie" Fitz, IBT General Organizer, confessed felon, bribe taker, and racketeer, will still get his pension.

TDU To Take Action

It's time for corrupt men like this--men with great power in our union--to be run out of the labor movement. It's time for Teamster officials to get off the fence and take a stand on corruption. One place to start is by expelling Dickie Fitz from our union and barring him from ever holding an IBT position in the future.

TDU is planning definite action on this matter. And some officers will be forced to show their colors--starting with the officers of Local 299. Watch for details

...While Union Attorney Tells BAs To Clean Up Their Act

You have a **right** to good representation.

Sound like TDU? Sure. But now the union has been forced to admit it as well.

Recently Jimmy Hoffa Jr., attorney for several Teamster locals had to advise Teamster BAs that they are in fact getting paid to represent the rank and file.

Tired of BAs that just read you grievance and then practically fall asleep at the table? Listen to this:

"It is not sufficient for a business representative to limit his or her presentation to the reading of the employee's grievance...The agent must orally state the issues and the contract to the grievance committee. This explanation should be in sufficient detail to cover the issues in the grievance and should be as animated and forceful as necessary to drive home the issue on the member's behalf. No issue is too small to be argued with some vigor."

Sick of BAs who know nothing about your case? Read on:

"Each Business Agent must be familiar with the subject matter of the grievance, the appropriate contract provisions...It is of critical importance that an agent fully investigate every grievance."

Fed up with excuses that its too much trouble to check into your case? Next time your hear that one, quote this one to your BA:

"This investigation must include determining if any witnesses are relevant to the proceeding. Particularly in the transportation industry, witnesses may be located a great distance from the local union and may have left their former place of employment. A Business Agent should use all means at his or her disposal to secure the identity of witnesses, interview them, and make provisions for their appearance before the Joint Committee."

And when they don't do their job, don't let them stop you, or your witnesses, from stating your case:

"Their (the witnesses) testimony before the Joint Committee should be as long as necessary and should not be limited by the Business Agent...It is also critical that the employee be allowed to state his or her position before the Joint Committee so that all issues the employee wishes to be before the committee are presented."

It would be nice if these statements were motiviated by a desire to fight for the members. But Hoffa Jr. puts it right up front; they are running scared. Scared of "recent decisions in the federal courts." Scared of TDU. Scared of the rank and file.

But either way—it's official. Your BA must do his or her job. Next time they don't, straighten them out. Tell them you're just passing on some "advice" from Jimmy Hoffa Jr.,...via TDU!

Mineworker to TDU Convention....

"Rekindle The Fire"

Bill Lamb, United Mineworker International Board Member from District 6, now unseated, spoke at the TDU Convention in November. He said that "the opposition movement in the UMW has a lot to learn from the highly organized nature of the reform movement in the Teamsters. At the same time, rank and file Teamsters can benefit from our recent history." Bill Lamb and many other rank and file mineworkers built the Miners For Democracy (MFD) which in 1973 succeeded in re-writing the unions Constitution and in ousting the dictatorship of Tony Boyle. Arnold Miller was elected president. New rights to ratify contracts and other democratic provisions were put in the Constitution. And a new spirit of fighting unionism spread through the coal fields.

That spirit is still very much alive. But Lamb told the TDU Convention it needs to be better organized. "It's not enough to place reform candidates in office or put provisions for democracy in your Constitution. Rank and file organizations that effect changes must remain intact."

Lamb told TDUers that the UMW's Decemeber Convention would be very important because the top officers intended to take away some of the reforms the rank and file had won. Also, like many unions, the UMW faces an employers' attack and the threat of non-union industry (50% of coal produced is now in the West).

Bill Lamb, speaking at the 1979 TDU Convention

Miners Convention

At the convention, which consists of rank and file working miners elected as delegates, the top officers were not able to take away any major reforms. But the new president Sam Church did retain the right to appoint International Organizers and safety staff.

The Convention voted a large dues increase for a major organizing drive. Dues will go from $12 to $27 and all miners agreed it would be worth it if the money were used to seriously organize and to prepare for the contract coming up in a year.

The future of the mineworkers is open. The delegates wanted to unify the union and give the new president a chance. But the miners' fighting spirit and democratic Constitution are their protection against the union ever again becoming a dictatorship. They are proof that the rank and file can clean up a union.

As Bill Lamb told the TDU Convention, "We have democracy in our union, but we must rekindle the fire that was built in our union by MFD and build the network and the organization needed to use and protect the democratic provision in our constitution in order to protect our jobs and our union. And above all, we must keep that organization that we will be building over the next few years intact."

Boycott PPG!

PPG PAINTS • PPG INSULATION • PPG GLASS
XEREX ANTI-FREEZE [Pass it on!]

Harrisburg TDU Uncovers Facts Held Back in National Contract Ballot

Thanks to a slip by Harrisburg Pa. Local 776 president Don Moudy and quick questioning by TDU members, a little more info has come to light on the counting of the ballots last May for the National Master Freight Agreement.

At the local meeting on November 11, Moudy announced to the members that Local 776 was the only local in the Eight-Cities region that voted down the NMFA.

TDU activist Tom Griffith then asked how he could know that, since it was supposedly a secret ballot with all ballots intermingled. He was told the International knew the breakdown.

TDUers then followed up this matter at the December local meeting and meanwhile alerted the TDU office to investigate. TDU's investigation revealed the following—

•The IBT Headquarters routed our request for info to chief attorney Robert Baptiste, who stated that no such breakdown or lists exist.

•Both the US Department of Labor and Merkle Press, who were involved in this balloting, have told TDU that a list does exist . A Labor Dept official confirmed that list had been placed at "Security Storage" in Washington.

We are forced to believe based on this information that it is likely that such a breakdown does exist, and that it has been kept secret from the rank and file.

The questions are: 1) Why is this information being kept from the membership? and 2) Since there seems to be a lot of confusion and/or deception going on concerning this count, is it possible that specific knowledge of how each member voted was (or is) available?

These questions deserve answers. All members coverd by the NMFA or another national agreement may want to ask them of their local officers.